

EXHIBIT 5

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10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

Master File No. 07-5944-SC

MDL No. 1917

17
18 This Document Relates To:
19 ALL DIRECT PURCHASER ACTIONS

DIRECT PURCHASER PLAINTIFFS'
SECOND SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS

1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, plaintiffs hereby request
2 that each Defendant respond to each of the following requests for production of Documents, and
3 produce all responsive Documents for inspection and copying within 30 days.

4 Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, these Document requests are
5 continuing in nature so that if Defendants, their directors, officers, Employees, agents,
6 representatives or any person acting, or purporting to act, on behalf of any Defendant, discover any
7 Document(s) requested or required to be produced, Defendants shall make such Document(s)
8 available.

9 **DEFINITIONS**

10 As used herein, the following terms are defined as follows:

11 1. "All" should be construed to include the collective as well as the singular and shall
12 mean "each," "any," and "every."

13 2. "Any" shall be construed to mean "any and all."

14 3. "Communication" means without limitation, oral or written communications of any
15 kind, such as electronic communications, e-mails, facsimiles, telephone communications,
16 correspondence, exchange of written or recorded information, or face-to-face Meetings. The phrase
17 "communication between" is defined to include instances where one party addresses the other party
18 but the other party does not necessarily respond.

19 4. "Date" means the exact day, month and year, if ascertainable, or the best available
20 approximation, including any relationship to other known events (designate whether exact or
21 approximate).

22 5. "Defendant" means any company, organization, entity or person presently or
23 subsequently named as a Defendant in this litigation.

24 6. "Document" means without limitation, the original and all non-identical copies of all
25 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition
26 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars, diaries,
27 travel records, summaries, records of telephone conversations, telegrams, notes, reports,
28

1 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,
2 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,
3 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer files
4 and disks, sales, advertising and promotional literature, agreements, stored recordings, minutes or
5 other records of Meetings, all written or graphic records or representations of any kind, and all
6 mechanical or electronic data, records or representations of any kind.

7 7. "Electronic Data" includes, without limitation, the following:
8 a. activity listings of electronic mail receipts and/or transmittals;
9 b. output resulting from the use of any software program, including, without
10 limitation, word processing Documents, spreadsheets, database files, charts, graphs and outlines,
11 electronic mail, AOL Instant Messenger™ (or similar program) or bulletin board programs,
12 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all miscellaneous
13 media on which they reside and regardless of whether said electronic data exists in an active file, a
14 deleted file, or file fragment;
15 c. any and all items stored on computer memories, hard disks, floppy disks, CD-
16 ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or transmittal,
17 such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M., Blackberry, or similar
18 device, and file folder tabs, and/or containers and labels appended to, or relating to, any physical
19 storage device associated with each original and/or copy of all Documents requested herein.

20 8. "Employee" means, without limitation, any current or former officer, director,
21 executive, manager, secretary, staff member, messenger, agent or other person who is or was
22 employed by a Defendant.

23 9. "Including" is used to emphasize certain types of Documents requested and should
24 not be construed as limiting the request in any way.

25 10. "Meeting" means, without limitation, any assembly, convocation, encounter, or
26 contemporaneous presence of two or more persons for any purpose, whether planned or arranged,
27 scheduled or not.
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11. "Or" and "and" should be construed so as to require the broadest possible response. If, for example, a request calls for information about "A or B" or "A and B," You should produce all information about A and all information about B, as well as all information about A and B collectively. In other words, "or" and "and" should be read as "and/or."

12. "Person" means, without limitation, any natural person, corporation, partnership, limited liability company, proprietorship, joint venture, association, government entity, group or other form of legal entity.

13. "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation, the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing, evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording, summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

14. "CRT" means cathode ray tube(s) and "CRT Products" means products containing cathode ray tubes.

15. "You," "Your," or "Your Company" mean the responding Defendant, its predecessors, successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any organization or entity which the responding Defendant manages or controls, together with all present and former directors, officers, Employees, agents, representatives or any persons acting or purporting to act on behalf of the responding Defendant.

INSTRUCTIONS

1. Unless otherwise noted, the Relevant Time Period for these Document requests is January 1, 1995 through the present (the "Relevant Time Period"). These Document requests seek all responsive Documents created or generated during the Relevant Time Period, as well as responsive Documents created or generated outside the Relevant Time Period, but which contain information concerning the Relevant Time Period.

2. To the extent Documents responsive to any of these Document requests have already been produced to plaintiffs, there is no need to produce those Documents a second time. Instead, please provide the bates numbers of any responsive Documents already produced.

1 3. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these Document
2 requests are continuing in nature so that if You subsequently discover or obtain possession, custody,
3 or control of any Document covered by these requests, You shall promptly make any such Document
4 available to plaintiffs.

5 4. In producing Documents and other materials, You are to furnish all Documents or
6 things in Your possession, custody or control, regardless of whether such Documents or materials
7 are possessed directly by You or Your Employees, agents, parent company(ies), subsidiaries,
8 affiliates, investigators or by Your attorneys or their Employees, agents or investigators.

9 5. Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all Documents shall
10 be produced in the same order as they are kept or maintained by You in the ordinary course of Your
11 business. All Documents shall be produced in the file folder, envelope or other container in which
12 the Documents are kept or maintained. If for any reason the container cannot be produced, You
13 should produce copies of all labels or other identifying marks which may be present on the
14 container.

15 6. Documents shall be produced in such fashion as to identify the department, branch or
16 office in whose possession they were located and, where applicable, the natural person in whose
17 possession they were found and the business address of each Document(s) custodian(s).

18 7. Documents attached to one another should not be separated. If any portion of any
19 Document is responsive to any portion of the Document requests below, then the entire Document
20 must be produced.

21 8. If a Document once existed and subsequently has been lost, destroyed or is otherwise
22 missing, You should provide sufficient information to identify the Document and state, in writing,
23 the details, including whether the Document:
24

- 25 a. is lost or missing;
- 26 b. has been destroyed and, if so, by whom at whose request;
- 27 c. has been transferred or delivered, voluntarily or involuntarily, to another
28 person or entity and at whose request; and/or

d. has been otherwise disposed of.

9. In each instance in which a Document once existed and subsequently is lost, missing, destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the Document, including, but not limited to:

- a. the identity of the Person or entity who last possessed the Document;
- b. the date or approximate date of the Documents disposition; and
- c. the identity of all Persons who have or had knowledge of the Document's contents.

10. If any Document responsive to any of these requests is privileged, and the Document or any portion of the Document requested is withheld based on a claim of privilege pursuant to Rule 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and all facts relied upon in support of that claim, including the following information:

- a. the reason for withholding the Document;
- b. the date of such communication;
- c. the medium of such communication;
- d. the general subject matter of such communication (such description shall not be considered a waiver of Your claimed privilege);
- e. the identity of any Document that was the subject of such communication and the present location of any such Document;
- f. the identity of the Persons involved in such communication;
- g. the identity of any Document which records, refers, or relates to such communication and present location of any such Document;
- h. the paragraph or paragraphs of these requests for production of Documents to which such information is responsive.

11. Each Document requested herein should be produced in its entirety and without deletion, redaction or excisions, except as qualified by Instruction 10 above, regardless of whether You consider the entire Document or only part of it to be relevant or responsive to these Document

requests. If You have redacted any portion of a Document, stamp the word "REDACTED" beside the redacted information on each page of the Document which You have redacted. Any redactions to Documents produced should be identified in accordance with Instruction 10 above.

12. All Documents produced in paper form should be Bates numbered sequentially, with a unique number on each page, and with a prefix identifying the party producing the Document.

13. Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must produce any electronically stored information ("ESI") in its native format. If ESI in its native format can only be accessed by proprietary or legacy software, or is password protected, or encrypted, the responding party must meet and confer with plaintiffs' lead counsel so the receiving party shall receive all information and software necessary to access the ESI.

DOCUMENT REQUESTS

Request No. 1

Documents sufficient to show Your corporate structure or organization throughout the relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States, including, where applicable, the percentage of any stock or other interests owned by each entity in the chain.

Request No. 2

As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents, affiliates and joint ventures, Documents sufficient to identify each executive or Employee with managerial authority who had responsibilities or duties with respect to each of the following:

- (a) the manufacturing or production of CRT or CRT Products;
- (b) the marketing of CRT or CRT Products;
- (c) the pricing of CRT or CRT Products;
- (d) the sale or distribution of CRT or CRT Products;
- (e) maintaining any electronic database(s), including archives, of e-mail or other electronic Documents relating to CRT or CRT Products.

Request No. 3

Documents sufficient to describe Your policies or practices with respect to the retention or destruction of Documents during the period January 1, 1991 through the present, and, if such policy or practice has been different with respect to any category of Documents or over different times, Documents sufficient to identify each such category or time period and to describe Your retention policy or practice with respect to each such category or time period.

Request No. 4

Documents sufficient to show the manner in which You have maintained records relating to CRT or CRT Products during the period January 1, 1991 through the present, including Documents sufficient to describe all electronic data processing systems, programs and outputs used to record, store, compute, analyze or retrieve electronically stored information relating to Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United States.

Request No. 5

All Documents and electronic data relating to Your sales of CRT or CRT Products during the period January 1, 1991 through the present, including, but not limited to:

- a) customer names, customer billing addresses, and customer ship-to addresses;
- b) sales terms;
- c) sales dates and shipment dates;
- d) product type, class, category, description, and respective use;
- e) sales volumes;
- f) unit price information, gross price, and actual net prices;
- g) discounts, credits, and rebates;
- h) shipping charges and terms;
- i) any other related charges; and
- j) amounts paid, dates paid, invoice numbers, and purchase order numbers.

If such data are not kept, or have not been kept, in electronic form in the ordinary course of Your business or are otherwise not available in electronic form, please produce such data in hard copy.

Request No. 6

All software instructions, programs, manuals, or other Documents necessary to operate, run or understand any of the programs maintained on the computer-related equipment or system utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5, including all record laYouts, field codes or other descriptions.

Request No. 7

All Documents relating to policies, methods, formulas or factors to be used in determining, computing or quoting prices, including any rebates or discounts, in connection with the sale of CRT or CRT Products.

Request No. 8

All Documents relating to any published prices for CRT or CRT Products during the period January 1, 1991 through the present, including price announcements, price lists, price schedules, or price changes communicated to customers in the United States.

Request No. 9

All Documents relating to contracts, offers or proposals for CRT or CRT Products sales during the period January 1, 1991 through the present.

Request No. 10

Documents sufficient to identify each of Your facilities that produced CRT or CRT Products from January 1, 1991 through the present, and for each such facility, all Documents relating to:

- a) capacity, rated capacity, production and capacity utilization during each year of the Relevant Time Period;
- b) any proposed or actual change in the capacity to produce CRT or CRT Products;
- c) any reason for changes in each facility's actual production of CRT or CRT Products;
- d) the identity of all persons who had decision-making or supervisory responsibility regarding CRT or CRT Products production;
- e) each type, class, category and respective use of CRT or CRT Products produced and the amounts of each produced during each month of the relevant period;

1 f) any production shutdowns or slowdowns of CRT or CRT Products production and
2 reasons for such shutdowns or slowdowns; and

3 g) any projected production forecasts;

4 h) any future plans to construct, joint venture or purchase fabrication plants used to
5 manufacture or produce CRT or CRT Products.

6 **Request No. 11**

7 Documents sufficient to describe the processes for producing CRT or CRT Products,
8 including but not limited to, any industry standards.

9 **Request No. 12**

10 All Documents relating to the cost of manufacturing, marketing, selling, and distributing
11 CRT or CRT Products during the period January 1, 1991 through the present.

12 **Request No. 13**

13 Documents sufficient to show Your inventory levels of CRT or CRT Products for each
14 month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

15 **Request No. 14**

16 Documents sufficient to identify and quantify all swaps, trades, sales, purchases or transfers
17 of CRT or CRT Products between You and any of Your affiliates, or between You and any other
18 producer of CRT or CRT Products, and the price or any other consideration involved in every such
19 sale, swap, trade, purchase or transfer.

20 **Request No. 15**

21 All Documents relating to any relationship between prices for CRT or CRT Products and any
22 costs of producing, marketing, selling, or distributing CRT or CRT Products during the period
23 January 1, 1991 through the present.

24 **Request No. 16**

25 All of Your internal and public annual, quarterly and monthly financial statements,
26 summaries or analyses, including profit-and-loss statements and comparisons to budget that relate to
27 CRT or CRT Products.
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1 **Request No. 17**

2 All business plans, planning analyses, budgets, forecasts, or sales or profit projections
3 relating to CRT or CRT Products.

4 **Request No. 18**

5 Documents sufficient to show the identity of all other producers and sellers of CRT or CRT
6 Products during any portion of the relevant period.

7 **Request No. 19**

8 All Documents relating to Your percentage or share of industry production, capacity, sales or
9 shipments of CRT or CRT Products, or the percentage or share of industry production, capacity,
10 sales or shipments of any other producer or seller of CRT or CRT Products at any time during the
11 period January 1, 1991 through the present.

12 **Request No. 20**

13 All Documents showing the dollar volume or quantity of sales or shipments of CRT or CRT
14 Products (by type or category, if available) by You or by other producers or sellers of CRT or CRT
15 Products by month, quarter, calendar year or fiscal year during the period January 1, 1991 through
16 the present.

17 **Request No. 21**

18 All Documents that compare or contrast each type, class, or category of CRT or CRT
19 Products produced or sold by You with that of any other producer or seller of CRT or CRT Products
20 and all Documents that relate to any industry standards regarding types, classes, or categories of
21 CRT or CRT Products.

22 **Request No. 22**

23 Documents sufficient to show the regions or territories in which each type, class, or category
24 of CRT or CRT Products are sold in the United States.
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Request No. 23

All Documents relating to conditions of supply or demand for CRT or CRT Products, including, but not limited to, any market studies or industry reports during the period January 1, 1991 through the present.

Request No. 24

All Documents relating to any contemplated, proposed, planned, pending or executed purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any other change in ownership of any assets, liabilities, subsidiaries, departments, units or other subdivisions of Your or another company relating to production, distribution, marketing, pricing, sale or resale of CRT or CRT Products during the Relevant Time Period.

Request No. 25

All Documents relating to any communications between You and any parent, subsidiary, affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or distribution of CRT or CRT Products.

Request No. 26

All Documents relating to communications regarding CRT or CRT Products between or among manufacturers of CRT or CRT Products, including Defendants.

Request No. 27

All Documents relating to any Meeting attended by You or any other Defendant or any manufacturer of CRT or CRT Products during which there was any communication concerning the production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products, including, but not limited to the notes of any such Meetings.

Request No. 28

For each of Your Employees who has or had any non-clerical responsibility for recommending, reviewing, setting or approving prices, price increase announcements, bids or quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of CRT or CRT Products:

- 1 a. all copies of electronic and manual diaries, calendars, appointment books, "to do"
- 2 lists, day timers or appointment notes;
- 3 b. all copies of trip and travel logs, records or other supporting Documents;
- 4 c. all copies of expense reports or other supporting Documents;
- 5 d. all copies of telephone number logs, directories, notebooks, Rolodex cards or related
- 6 memoranda;
- 7 e. all bills, statements, records and supporting Documents concerning long distance or
- 8 cellular telephone calls;
- 9 f. all Documents relating to membership in any trade association or industry group; and
- 10 g. the complete personnel file for that Employee.

11 **Request No. 29**

12 Documents sufficient to show the name and address of each trade association (including

13 committees and subcommittees) relating to CRT or CRT Products of which You or any of Your

14 Employees are or have been a member, as well as Documents sufficient to show dates of

15 membership and dates of participation in committees or subcommittees.

16 **Request No. 30**

17 All Documents relating to Meetings of each trade association and each of its committees or

18 subcommittees relating to CRT or CRT Products, including all Documents relating to any such

19 Meeting attended by You and any other CRT or CRT Products manufacturer and Documents

20 sufficient to identify individuals from Your company who attended, the dates of attendance, and the

21 subject matters discussed.

22 **Request No. 31**

23 All studies, analyses, communications, presentations or other Documents that You have

24 submitted to or received from any trade association regarding CRT or CRT Products.

25 **Request No. 32**

26 All statements, announcements, disclosures or press releases issued by You or any of Your

27 competitors relating to CRT or CRT Products.

28

1 **Request No. 33**

2 All Documents relating to Your policies or practices directed toward compliance with the
3 United States antitrust laws, including any statements signed by Your Employees with pricing, sales
4 or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and
5 compliance with Your antitrust compliance policy.

6 **Request No. 34**

7 All Documents relating to, prepared for, submitted to, or received from any foreign
8 governmental or legislative investigative body, including the Canadian Competition Bureau, the
9 European Commission, any agency or representative body of any foreign country, state or other
10 political subdivision, or any law enforcement agency, authority or commission in any foreign
11 country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT Products.
12 This request includes all Documents relating to proffers, transcripts, notes, summaries, testimony,
13 witness statements, or responses to requests for information that You produced to any foreign
14 governmental agency or foreign grand jury, including any Documents produced as part of any plea
15 bargain negotiations or in connection with any application for or grant of amnesty.

16 **Request No. 35**

17 All Documents relating to proffers, transcripts, notes, summaries, testimony, witness
18 statements, or responses to requests for information that You produced or were seized by any foreign
19 governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary, Thailand,
20 Malaysia, Korea, Japan, Singapore, China or Taiwan.

21 **Request No. 36**

22 Copies of all subpoenas or requests for production of Documents issued by any foreign
23 governmental or legislative investigative body referring or relating to CRT or CRT Products during
24 the relevant period.
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Request No. 37

All Documents relating to, prepared for, submitted to, or received by You as a result of any investigation or research conducted either internally or by an outside entity with respect to price fixing, price manipulation or manipulation of production or capacity of CRT or CRT Products.

Request No. 38

All Documents relating to the termination, retirement, discipline, discharge or suspension of any director, officer, or Employee who had any responsibility relating to the production, manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

Request No. 39

All Documents referring to or relating to plaintiffs in this litigation.

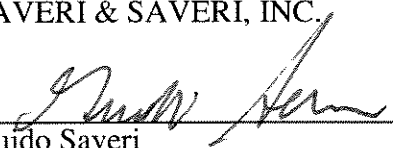
Request No. 40

All Documents that You claim would have been available to the plaintiffs or any purchaser of CRT or CRT Products prior to November 2007, which should have caused the plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise, maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the United States.

DATED: March 12, 2010

Respectfully submitted,
SAVERI & SAVERI, INC.

By



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May 14, 2010

File No. #: 3-396-0001

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**In Re CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

No.: M-07-5944 SC
MDL NO. 1917

This Document Relates to:

Judge: Hon. Samuel Conti
Special Master: Hon. Charles A. Legge
(Ret.)

DIRECT PURCHASER ACTION

**OBJECTIONS AND RESPONSES OF
DEFENDANT PANASONIC
CORPORATION (F/K/A MATSUSHITA
ELECTRIC INDUSTRIAL CO., LTD.)
TO DIRECT PURCHASER
PLAINTIFFS' SECOND SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS**

1 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Panasonic
2 Corporation, f/k/a Matsushita Electric Industrial Co., Ltd. ("Panasonic"), hereby makes the
3 following objections and responses to the Direct Purchaser Plaintiffs' ("Plaintiffs") Second Set of
4 Requests for Production of Documents, dated March 12, 2010 (the "Second Requests").

5
6 **GENERAL OBJECTIONS**

7 Each and every one of the following general objections is incorporated into the specific
8 responses below as if set forth in full therein:

9 1. Panasonic objects to the Second Requests to the extent they seek information or
10 seek to impose burdens and requirements upon Panasonic that exceed or differ from the
11 requirements of the Federal Rules of Civil Procedure.

12 2. Panasonic objects to the Second Requests to the extent they seek information not
13 relevant to the issues raised in this lawsuit and not reasonably calculated to lead to the discovery
14 of admissible evidence.

15 3. Panasonic objects to the Second Requests to the extent that they are overly broad
16 and unduly burdensome.

17 4. Panasonic objects to the Second Requests to the extent that they are needlessly
18 duplicative.

19 5. Panasonic objects to the Second Requests to the extent that they are vague,
20 ambiguous or susceptible to more than one interpretation.

21 6. Panasonic objects to the Second Requests to the extent they seek information or
22 documents that reflect, refer to, or relate to the ongoing criminal grand jury investigation
23 concerning CRTs in contravention of the Court's Order to Extend Limited Discovery Stay, dated
24 January 30, 2010.

25 7. Panasonic objects to the Second Requests to the extent that they seek any
26 information or any document that is subject to attorney-client privilege, work product protection,
27 joint defense or common interest privilege, or any other applicable doctrine, privilege, protection
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1 or immunity from production. The inadvertent or mistaken provision of any documents subject to
2 any such doctrine, privilege, protection or immunity from production shall not constitute a
3 general, inadvertent, implicit, subject-matter, separate, independent or other waiver of such
4 doctrine, privilege, protection or immunity from production, and does not put in issue or
5 constitute affirmative use of the advice of counsel defense or of any privileged communications.

6 8. Panasonic objects to the Second Requests to the extent they seek documents that
7 are publicly available, already in Plaintiffs' possession or more readily available from other
8 sources.

9 9. Panasonic objects to the Second Requests on the ground that they require
10 Panasonic to produce documents that are not in its possession, custody or control. Panasonic also
11 objects to the extent that any request seeks information from a non-party, such as, but not limited
12 to, any of Panasonic's subsidiary, affiliate or sibling corporations or companies.

13 10. Panasonic objects to the Second Requests on the ground that they seek information
14 or documents about CRTs and CRT products involved in transactions outside the United States,
15 which is unduly burdensome and irrelevant to this pending action as Plaintiffs' proposed class
16 definition in their Consolidated Amended Complaint is confined to "all persons . . . who directly
17 purchased a Cathode Ray Tube Product . . . in the United States." See Cpl't ¶ 1.

18 11. Panasonic objects to the Second Requests to the extent that the laws or procedures
19 of a foreign country prohibit the production of documents responsive to such requests.

20 12. Panasonic objects to the Second Requests to the extent they seek the production of
21 documents that have been provided already to Plaintiffs.

22 13. Panasonic reserves the right to assert additional general and specific objections to
23 the production of information or documents as appropriate and to supplement these objections
24 and responses. Panasonic also reserves the right to assert additional general and specific
25 objections arising from matters discovered during the course of this litigation.

26 14. By responding to the Second Requests and/or stating that it is providing
27 responsive, non-privileged documents in its possession, custody or control, Panasonic does not
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1 make any representation as to whether documents responsive to any of the categories set forth
2 below exist or are in its possession, custody or control. No objection or limitation, or lack
3 thereof, made in the responses and objections herein shall be deemed an admission by Panasonic
4 as to the existence or nonexistence of documents or information.

5 15. Panasonic's decision, now or in the future, to provide information or documents
6 notwithstanding the objectionable nature of the Second Requests should not be construed as: (a) a
7 stipulation that the material is relevant or admissible, (b) a waiver of Panasonic's general
8 objections or the objections asserted in response to specific document requests, or (c) an
9 agreement that requests for similar information will be treated in a similar manner.

10 16. Panasonic objects to the definition of the term "Defendant" as vague and
11 incomprehensible to the extent it purports to include unidentified companies, organizations,
12 entities and persons who may be named as a defendant in this litigation at some unspecified date
13 in the future.

14 17. Panasonic objects to the definition of the term "Document" to the extent it seeks to
15 impose requirements that are inconsistent with or beyond those imposed by the Federal Rules of
16 Civil Procedure or any other applicable laws or rules.

17 18. Panasonic objects to the definition of the term "Electronic data" as overly broad,
18 unduly burdensome, and seeking information that is not likely to lead to the discovery of
19 admissible evidence. Panasonic further objects to this definition to the extent it seeks to impose
20 requirements that are inconsistent with or beyond those imposed by the Federal Rules of Civil
21 Procedure or any other applicable laws or rules.

22 19. Panasonic objects to the definition of "CRT products" on the grounds that it is
23 vague, ambiguous, and subject to overbreadth. Moreover, any discovery as to "CRT products"
24 that is not reasonably related to Plaintiffs' claims with respect to an alleged conspiracy involving
25 CRTs is premature and overly burdensome until such time as Plaintiffs establish a reasonable
26 basis for their claims regarding "CRT products" to justify the enormous burden that Plaintiffs
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1 seek to impose on Panasonic by pursuing discovery as to all such products (the “Products
2 Objection”).

3 20. Panasonic objects to the definitions of “You,” “Your,” and “Your company” as
4 overly broad. When coupled with other definitions and the requests themselves, this definition
5 requests information that is irrelevant and not reasonably calculated to lead to the discovery of
6 admissible evidence. For example, Panasonic objects because the definition, on its face, seeks to
7 require Panasonic to provide documents and information not within its possession, custody or
8 control. Further, Panasonic objects to the inclusion of “agents and all other persons acting or
9 purporting to act on behalf of it” within this definition to the extent it purports to encompass
10 information that is protected by attorney-client privilege, work product protection or any other
11 applicable doctrine, privilege, protection or immunity from production.

12 21. Panasonic objects to the definition of the “relevant time period” in Instruction No.
13 1 as overbroad and unduly burdensome prior to the time that the statute of limitations issues are
14 resolved in this case. Judge Conti has directed the parties to Judge Legge to develop procedures
15 for the early resolution of statute of limitations issues and to reduce the burden in connection
16 therewith. Panasonic believes it is premature for it to have to produce any documents from prior
17 to the statute of limitations period until Judge Legge considers this issue and determines
18 the proper scope of that burden (the “Relevant Time Period Objection”).

19 22. Panasonic objects to Instruction No. 6 on the ground that producing documents “in
20 such fashion as to identify the department, branch or office in whose possession they were located
21 and . . . the natural person in whose possession they were found and the business address of each
22 document(s) custodian(s)” is not required under the Federal Rules of Civil Procedure. Panasonic
23 further objects to this instruction as inappropriate for this type of discovery request as it is in the
24 nature of an interrogatory.

25 23. Panasonic objects to Instruction Nos. 8 and 9 on the ground that it is impossible to
26 identify, describe, and further explain the circumstances regarding every document that ever
27 “once existed and subsequently has been lost, destroyed, or is otherwise missing.” To the extent
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1 that it is even possible to identify, describe, and explain the circumstances regarding such
 2 documents, this investigation would impose a unique, time-consuming and unreasonable burden
 3 upon Panasonic.

4 24. Panasonic objects to Instruction No. 10 on the ground that it requires more
 5 information than is necessary or required for a privilege log, and is beyond the scope of Rule
 6 26(b)(5) of the Federal Rules of Civil Procedure. For example, stating the general subject matter
 7 of a privileged communication is sufficient for the purposes of a privilege log.
 8

9 **RESPONSES TO THE SECOND REQUESTS**

10 **REQUEST NO. 1**

11 Documents sufficient to show Your corporate structure or organization throughout the
 12 relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint
 13 ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in
 14 the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States,
 15 including, where applicable, the percentage of any stock or other interests owned by each entity in
 16 the chain.
 17

18 **RESPONSE TO REQUEST NO. 1:**

19 In addition to its General Objections, which are incorporated here by reference, Panasonic
 20 objects to Request No. 1 on the grounds that it is overly broad, unduly burdensome and seeks
 21 documents that are not reasonably calculated to lead to the discovery of admissible evidence. For
 22 example, Request No. 1 seeks documents sufficient to show departments, divisions, parents,
 23 subsidiaries, joint ventures, affiliates, or other sub-units that have no relation whatsoever to the
 24 manufacture, marketing, sale or distribution of CRTs. Panasonic also objects to this request to
 25 the extent it seeks the production of documents that have been produced already to Plaintiffs both
 26 on November 14, 2008 and March 8, 2010. *See*, for example, the documents bearing bates
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1 numbers PAN0000517, MTPD-0020728 and MTPD-0020733. Subject to the foregoing
2 objections, and to the extent not duplicative of earlier productions, Panasonic will produce non-
3 privileged documents in its possession, custody or control sufficient to show the corporate
4 structure or organization of Panasonic with regard to its departments, divisions, parents,
5 subsidiaries, joint ventures, affiliates, or other sub-units responsible for the manufacture,
6 marketing, sale or distribution of CRTs and CRT Products to the United States, subject to the
7 Relevant Time Period Objection, if any.

9 **REQUEST NO. 2**

10 As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents,
11 affiliates and joint ventures, Documents sufficient to identify each executive or Employee with
12 managerial authority who had responsibilities or duties with respect to each of the following:

- 13 (a) the manufacturing or production of CRT or CRT Products;
14 (b) the marketing of CRT or CRT Products;
15 (c) the pricing of CRT or CRT Products;
16 (d) the sale or distribution of CRT or CRT Products;
17 (e) maintaining any electronic database(s), including archives, of e-mail or
18 other electronic Documents relating to CRT or CRT Products.
19

20 **RESPONSE TO REQUEST NO. 2:**

21 In addition to its General Objections, which are incorporated here by reference, Panasonic
22 objects to Request No. 2 on the grounds that it is overly broad, unduly burdensome and seeks
23 documents that are not reasonably calculated to lead to the discovery of admissible evidence. For
24 example, Request No. 2 seeks information regarding “each Employee with managerial authority”
25 having “responsibilities or duties” with respect to various broadly described activities. Panasonic
26 also objects to this request to the extent it seeks the production of documents that have been
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1 produced already to Plaintiffs both on November 14, 2008 and March 8, 2010. *See*, for example,
2 the documents bearing bates numbers PAN0000517, MTPD-0020728 and MTPD-0020733.

3 Subject to the foregoing objections, and to the extent not duplicative of earlier productions,
4 Panasonic will produce non-privileged documents in its possession, custody or control sufficient
5 to identify executives or Employees with managerial authority, as to each of the departments,
6 divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic
7 responsible for the manufacture, marketing, pricing, sale or distribution of CRTs and CRT
8 Products to the United States that were directly involved in the activities listed in subparts (a)
9 through (e) of Request No. 2, subject to the Relevant Time Period Objection, if any.

10
11 **REQUEST NO. 3**

12 Documents sufficient to describe Your policies or practices with respect to the retention or
13 destruction of Documents during the period January 1, 1991 through the present, and, if such
14 policy or practice has been different with respect to any category of Documents or over different
15 times, Documents sufficient to identify each such category or time period and to describe Your
16 retention policy or practice with respect to each such category or time period.

17
18 **RESPONSE TO REQUEST NO. 3:**

19 In addition to its General Objections, which are incorporated here by reference, Panasonic
20 will produce non-privileged documents in its possession, custody or control sufficient to describe
21 the document retention policies of Panasonic's departments, divisions, or affiliates responsible for
22 the manufacture, marketing, pricing, sale or distribution of CRTs and CRT Products to the United
23 States, subject to the Relevant Time Period Objection, if any.

24
25 **REQUEST NO. 4**

26 Documents sufficient to show the manner in which You have maintained records relating
27 to CRT or CRT Products during the period January 1, 1991 through the present, including
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1 Documents sufficient to describe all electronic data processing systems, programs and outputs
 2 used to record, store, compute, analyze or retrieve electronically stored information relating to
 3 Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United
 4 States.

5 **RESPONSE TO REQUEST NO. 4:**

6
 7 In addition to its General Objections, which are incorporated here by reference, Panasonic
 8 objects to Request No. 4 as vague, ambiguous, overbroad, and unduly burdensome as it seeks,
 9 without specificity or particularity, “all electronic data processing systems.” Subject to the
 10 foregoing objections, Panasonic will produce non-privileged documents in its possession, custody
 11 or control sufficient to show the manner in which Panasonic maintained records concerning the
 12 pricing, production, distribution, marketing or sale of CRTs and CRT Products to the United
 13 States, subject to the Relevant Time Period Objection, if any.

14 **REQUEST NO. 5**

15
 16 All Documents and electronic data relating to Your sales of CRT or CRT Products during
 17 the period January 1, 1991 through the present, including, but not limited to:

- 18 a) customer names, customer billing addresses, and customer ship-to addresses;
- 19 b) sales terms;
- 20 c) sales dates and shipment dates;
- 21 d) product type, class, category, description, and respective use;
- 22 e) sales volumes;
- 23 f) unit price information, gross price, and actual net prices;
- 24 g) discounts, credits, and rebates;
- 25 h) shipping charges and terms;
- 26 i) any other related charges; and
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1 j) amounts paid, dates paid, invoice numbers, and purchase order numbers.

2 If such data are not kept, or have not been kept, in electronic form in the ordinary course of Your
3 business or are otherwise not available in electronic form, please produce such data in hard copy.

4 **RESPONSE TO REQUEST NO. 5:**

5 In addition to its General Objections, which are incorporated here by reference, Panasonic
6 objects to Request No. 5 as overly broad, unduly burdensome and as seeking documents that are
7 not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls
8 for foreign (i.e. non-United States) sales of CRTs, made by foreign (i.e. non-United States)
9 departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of
10 Panasonic. Panasonic also objects to this request to the extent it seeks the production of
11 documents that have been produced already to Plaintiffs both on November 14, 2008 and March
12 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000011-516 and MTPD-
13 0021208. Subject to the foregoing objections, and to the extent not duplicative of earlier
14 productions, Panasonic will produce additional non-privileged documents in its possession,
15 custody or control sufficient to show the requested information as to sales of CRTs and CRT
16 Products to the United States, subject to the Relevant Time Period Objection, if any.

17 **REQUEST NO. 6**

18 All software instructions, programs, manuals, or other Documents necessary to operate,
19 run or understand any of the programs maintained on the computer-related equipment or system
20 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,
21 including all record laYouts [*sic*], field codes or other descriptions.

22 **RESPONSE TO REQUEST NO. 6:**

23 In addition to its General Objections, which are incorporated here by reference, Panasonic
24 objects to this request as overbroad, unduly burdensome and seeking information that is neither
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1 relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to the
2 foregoing objections, Panasonic is willing to meet and confer with Plaintiffs about what they are
3 seeking and whether any of the information sought by Request No. 6 is fully relevant to this
4 action.

5
6 **REQUEST NO. 7**

7 All Documents relating to policies, methods, formulas or factors to be used in
8 determining, computing or quoting prices, including any rebates or discounts, in connection with
9 the sale of CRT or CRT Products.

10 **RESPONSE TO REQUEST NO. 7:**

11 In addition to its General Objections, which are incorporated here by reference, Panasonic
12 objects to Request No. 7 as calling for some information that is more easily sought by other
13 means of discovery, such as by deposition. Panasonic further objects to this request as unduly
14 burdensome and as seeking documents that are not reasonably calculated to lead to the discovery
15 of admissible evidence to the extent that it calls for foreign (i.e. non-United States) pricing
16 policies of CRTs, made by foreign (i.e. non-United States) departments, divisions, parents,
17 subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic. Panasonic also objects to
18 this request on the grounds that it is vague and ambiguous in its use of the term “relating to” as
19 this term renders the request unlimited in scope in that it does not describe with reasonable
20 particularity the category of documents to be produced. Subject to the foregoing objections,
21 Panasonic will produce non-privileged electronic documents in its possession, custody or control
22 sufficient to show Panasonic’s pricing policies for CRTs and CRT Products sold in the United
23 States, subject to the Relevant Time Period Objection, if any.
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REQUEST NO. 8

All Documents relating to any published prices for CRT or CRT Products during the period January 1, 1991 through the present, including price announcements, price lists, price schedules, or price changes communicated to customers in the United States.

RESPONSE TO REQUEST NO. 8:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 8 on the grounds that it is vague and ambiguous in its use of the term “relating to” as this term renders the request unlimited in scope in that it does not describe with reasonable particularity the category of documents to be produced. Moreover, Panasonic objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs on March 8, 2010. *See*, for example, the document bearing bates number MTPD-0003949. Subject to the foregoing objections, and to the extent not duplicative of earlier productions, Panasonic will produce non-privileged electronic documents in its possession, custody or control sufficient to show Panasonic’s published prices for CRTs and CRT Products sold in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 9

All Documents relating to contracts, offers or proposals for CRT or CRT Products sales during the period January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 9:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 9 on the grounds that it is vague and ambiguous in its use of the term “relating to” as this term renders the request unlimited in scope in that it does not describe with reasonable particularity the category of documents to be produced. Panasonic also objects to the terms “offers” and “proposals” as vague and unduly

1 burdensome. Subject to the foregoing objections, Panasonic will produce non-privileged
 2 documents in its possession, custody or control sufficient to show Panasonic's contracts for CRTs
 3 sold in the United States, subject to the Relevant Time Period Objection, if any.

4 **REQUEST NO. 10**

5 Documents sufficient to identify each of Your facilities that produced CRT or CRT
 6 Products from January 1, 1991 through the present, and for each such facility, all Documents
 7 relating to:

- 8
- 9 a) capacity, rated capacity, production and capacity utilization during each year of the
 10 Relevant Time Period;
 - 11 b) any proposed or actual change in the capacity to produce CRT or CRT Products;
 - 12 c) any reason for changes in each facility's actual production of CRT or CRT
 13 Products;
 - 14 d) the identity of all persons who had decision-making or supervisory responsibility
 15 regarding CRT or CRT Products production;
 - 16 e) each type, class, category and respective use of CRT or CRT Products produced
 17 and the amounts of each produced during each month of the relevant period;
 - 18 f) any production shutdowns or slowdowns of CRT or CRT Products production and
 19 reasons for such shutdowns or slowdowns; and
 - 20 g) any projected production forecasts;
 - 21 h) any future plans to construct, joint venture or purchase fabrication plants used to
 22 manufacture or produce CRT or CRT Products.

23 **RESPONSE TO REQUEST NO. 10:**

24 In addition to its General Objections, which are incorporated here by reference, including
 25 the Products Objection, Panasonic objects to Request No. 10 as unduly burdensome and
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1 overbroad to the extent it requests “any proposed” change in the capacity to produce CRT or CRT
2 Products and “any reason” for the change in each facility’s production of CRT or CRT Products.
3 Panasonic also objects to this request to the extent it seeks documents relating to changes in
4 production or the reasons for the changes in production as unduly burdensome and not reasonably
5 calculated to lead to the discovery of admissible evidence. Panasonic further objects to this
6 request as unduly burdensome and as seeking documents that are not reasonably calculated to
7 lead to the discovery of admissible evidence to the extent that it calls for documents relating to
8 foreign facilities (i.e. non-United States) that produce CRTs. Moreover, MTPD objects to this
9 request to the extent it seeks the production of documents that have been produced already to
10 Plaintiffs both on November 14, 2008 and March 8, 2010. *See*, for example, the documents
11 bearing bates numbers PAN0000028-29 and MTPD-0013193. Subject to the foregoing
12 objections, and to the extent not duplicative of earlier productions, Panasonic will produce non-
13 privileged documents in its possession, custody or control sufficient to show, for each of
14 Panasonic’s CRT production facilities in the United States, the capacity, rated capacity,
15 production, capacity utilization, actual changes in capacity, any reasons for such changes, types of
16 CRTs produced, and the openings and closings of plants or production lines, subject to the
17 Relevant Time Period Objection, if any.
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21 **REQUEST NO. 11**

22 Documents sufficient to describe the processes for producing CRT or CRT Products,
23 including but not limited to, any industry standards.

24 **RESPONSE TO REQUEST NO. 11:**

25 In addition to its General Objections, which are incorporated here by reference, including
26 the Products Objection, Panasonic objects to this request insofar as it seeks documents that
27 describe the “processes for producing CRT or CRT Products,” as the phrase is vague and poorly
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1 defined. Panasonic further objects to this request as calling for information concerning
2 “processes for producing CRT or CRT Products” that is more easily sought by other means of
3 discovery, such as by deposition. Subject to the foregoing objections, Panasonic will produce
4 non-privileged documents in its possession, custody or control sufficient to show any industry
5 standards for producing CRTs, subject to the Relevant Time Period Objection, if any.
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7 **REQUEST NO. 12**

8 All Documents relating to the cost of manufacturing, marketing, selling, and distributing
9 CRT or CRT Products during the period January 1, 1991 through the present.

10 **RESPONSE TO REQUEST NO. 12:**

11 In addition to its General Objections, which are incorporated here by reference, Panasonic
12 objects to this request as overbroad to the extent it seeks all documents relating to the cost of
13 “marketing” CRTs. Panasonic also objects to Request No. 12 as unduly burdensome and as
14 seeking documents that are not reasonably calculated to lead to the discovery of admissible
15 evidence to the extent that it calls for the costs of manufacturing, marketing, selling, and
16 distributing foreign (i.e. non-United States) CRTs, made by foreign (i.e. non-United States)
17 departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of
18 Panasonic. Panasonic also objects to this request to the extent it seeks the production of
19 documents that have been produced already to Plaintiffs both on November 14, 2008 and March
20 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000011-27 and MTPD-
21 0021208. Subject to the foregoing objections, and to the extent not duplicative of earlier
22 productions, Panasonic will produce non-privileged documents in its possession, custody or
23 control sufficient to show the costs of manufacturing, marketing, selling, and distributing CRTs
24 and CRT Products in the United States, subject to the Relevant Time Period Objection, if any.
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REQUEST NO. 13

Documents sufficient to show Your inventory levels of CRT or CRT Products for each month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 13:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 13 on the grounds that it is overly broad and unduly burdensome as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for the inventory levels of foreign (i.e. non-United States) CRTs, made by foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic. Subject to the foregoing objections, Panasonic will produce non-privileged documents in its possession, custody or control sufficient to show inventory levels of CRTs and CRT Products in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 14

Documents sufficient to identify and quantify all swaps, trades, sales, purchases or transfers of CRT or CRT Products between You and any of Your affiliates, or between You and any other producer of CRT or CRT Products, and the price or any other consideration involved in every such sale, swap, trade, purchase or transfer.

RESPONSE TO REQUEST NO. 14:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to this request as vague and ambiguous to the extent it purports to call for documents relating to “swaps” and/or “trades,” the meaning of which is unintelligible in this context. Panasonic further objects to Request No. 14 as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible

1 evidence to the extent that it calls for inter-company transfers of CRTs with foreign (i.e. non-
2 United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-
3 units of Panasonic. Subject to the foregoing objections, Panasonic will produce non-privileged
4 documents in its possession, custody or control sufficient to show intercompany transfers of
5 CRTs between Panasonic and its affiliates in the United States, subject to the Relevant Time
6 Period Objection, if any.
7

8 **REQUEST NO. 15**

9 All Documents relating to any relationship between prices for CRT or CRT Products and
10 any costs of producing, marketing, selling, or distributing CRT or CRT Products during the
11 period January 1, 1991 through the present.
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13 **RESPONSE TO REQUEST NO. 15:**

14 In addition to its General Objections, which are incorporated here by reference, Panasonic
15 objects to Request No. 15 insofar as it seeks documents that relate to “any relationship” between
16 the prices and costs of manufacturing CRT or CRT Products as the phrase is vague and poorly
17 defined. Panasonic also objects to Request No. 15 as unduly burdensome and as seeking
18 documents that are not reasonably calculated to lead to the discovery of admissible evidence to
19 the extent that it calls for foreign (i.e. non-United States) prices and sales of CRTs, made by
20 foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures,
21 affiliates, or other sub-units of Panasonic. Subject to the foregoing objections, Panasonic refers
22 Plaintiffs to its response to Request No. 8 concerning the prices of CRTs and CRT Products and
23 to its response to Request No. 12 concerning the costs of manufacturing CRTs and CRT Products.
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REQUEST NO. 16

All of Your internal and public annual, quarterly and monthly financial statements, summaries or analyses, including profit-and-loss statements and comparisons to budget that relate to CRT or CRT Products.

RESPONSE TO REQUEST NO. 16:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 16 to the extent it calls for the production of documents that are publicly available. Panasonic further objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs both on November 14, 2008 and March 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000001-27. Subject to the foregoing objections, and to the extent not duplicative of earlier productions, Panasonic will produce non-privileged financial statements in its possession, custody or control relating to CRTs, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 17

All business plans, planning analyses, budgets, forecasts, or sales or profit projections relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 17:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 17 on the grounds that it is overly broad and unduly burdensome as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for the business plans of foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic. Panasonic also objects to this request to the extent it seeks the production

1 of documents that have been produced already to Plaintiffs both on November 14, 2008 and
2 March 8, 2010. *See*, for example, the documents bearing bates numbers MTPD-0006847-55 and
3 MTPD-0006960-68. Subject to the foregoing objections, and to the extent not duplicative of
4 earlier productions, Panasonic will produce non-privileged documents in its possession, custody
5 or control relating to CRT business plans in the United States, subject to the Relevant Time
6 Period Objection, if any.
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8 **REQUEST NO. 18**

9 Documents sufficient to show the identity of all other producers and sellers of CRT or
10 CRT Products during any portion of the relevant period.

11 **RESPONSE TO REQUEST NO. 18:**

12 In addition to its General Objections, which are incorporated here by reference, Panasonic
13 objects to Request No. 18 as calling for some information that is more easily obtained from
14 markets studies and by other means of discovery, such as by depositions or interrogatories.
15 Panasonic further objects to this request to the extent that it seeks information easily accessible by
16 Plaintiffs through other means. Subject to the foregoing objections, Panasonic will produce
17 formal market studies in its possession, custody or control sufficient to show the identify of U.S.
18 sellers of CRTs, subject to the Relevant Time Period Objection, if any.
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21 **REQUEST NO. 19**

22 All Documents relating to Your percentage or share of industry production, capacity, sales
23 or shipments of CRT or CRT Products, or the percentage or share of industry production,
24 capacity, sales or shipments of any other producer or seller of CRT or CRT Products at any time
25 during the period January 1, 1991 through the present.
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RESPONSE TO REQUEST NO. 19:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 19 on the grounds that it is overly broad and unduly burdensome as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for the share of industry production of CRTs by foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic. Panasonic also objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs on March 8, 2010. *See*, for example, the documents bearing bates numbers MTPD-0004296-4310. Subject to the foregoing objections, and to the extent not duplicative of earlier productions, Panasonic will produce any formal studies in its possession, custody or control relating to its share of industry production, capacity and sales of CRTs and CRT Products to the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 20

All Documents showing the dollar volume or quantity of sales or shipments of CRT or CRT Products (by type or category, if available) by You or by other producers or sellers of CRT or CRT Products by month, quarter, calendar year or fiscal year during the period January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 20:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 20 to the extent it calls for the production of documents in the possession of third parties not under Panasonic's control. Panasonic further objects to this request to the extent it is duplicative of Request No. 5, and specifically incorporates by reference its response to Request No. 5 as if such response were fully set forth herein.

REQUEST NO. 21

All Documents that compare or contrast each type, class, or category of CRT or CRT Products produced or sold by You with that of any other producer or seller of CRT or CRT Products and all Documents that relate to any industry standards regarding types, classes, or categories of CRT or CRT Products.

RESPONSE TO REQUEST NO. 21:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 21 as overbroad and unduly burdensome in its use of the word “all” as it seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Panasonic further objects to this request as not relevant to any claims in this action to the extent it seeks “any industry standards regarding types, classes, or categories of CRT or CRT Products.” Panasonic also objects to this request as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for documents that compare or contrast each type, class, or category of CRTs made by foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of Panasonic. Subject to the foregoing objections, Panasonic will produce published materials in its possession, custody or control documents that compare or contrast CRT types, classes, or categories produced or sold by Panasonic in the United States with that of other U.S. sellers of CRTs, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 22

Documents sufficient to show the regions or territories in which each type, class, or category of CRT or CRT Products are sold in the United States.

RESPONSE TO REQUEST NO. 22:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 22 to the extent it is duplicative of Request No. 5, and specifically incorporates by reference its response to Request No. 5 as if such response were fully set forth herein. Subject to the foregoing objections, Panasonic will produce non-privileged documents in its possession, custody or control relating to the regions in which it sold CRTs and CRT Products in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 23

All Documents relating to conditions of supply or demand for CRT or CRT Products, including, but not limited to, any market studies or industry reports during the period January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 23:

In addition to its General Objections, which are incorporated here by reference, Panasonic will produce pre-existing formal market studies or industry reports in its possession, custody or control relating to conditions of supply or demand for CRTs and CRT Products in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 24

All Documents relating to any contemplated, proposed, planned, pending or executed purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any other change in ownership of any assets, liabilities, subsidiaries, departments, units or other subdivisions of Your or another company relating to production, distribution, marketing, pricing, sale or resale of CRT or CRT Products during the Relevant Time Period.

RESPONSE TO REQUEST NO. 24:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 24 as overly broad and seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Panasonic further objects that requiring Panasonic to produce the documents requested in Request No. 24 would impose an undue burden, which would far outweigh its likely benefit under Rule 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

REQUEST NO. 25

All Documents relating to any communications between You and any parent, subsidiary, affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or distribution of CRT or CRT Products.

RESPONSE TO REQUEST NO. 25:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 25 as overly broad and seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Panasonic further objects that requiring Panasonic to produce the documents requested in Request No. 25 would impose an undue burden, which would far outweigh its likely benefit under Rule 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

REQUEST NO. 26

All Documents relating to communications regarding CRT or CRT Products between or among manufacturers of CRT or CRT Products, including Defendants.

RESPONSE TO REQUEST NO. 26:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 26 to the extent it seeks “all”

1 communications regarding CRT or CRT Products between Panasonic and other manufacturers of
2 CRT or CRT Products. Panasonic also objects to this request as overly broad and on the grounds
3 that it is vague and ambiguous in its use of the term “relating to” as this term renders the request
4 unlimited in scope in that it does not describe with reasonable particularity the category of
5 documents to be produced. Subject to the foregoing objections, Panasonic will produce non-
6 privileged documents in its possession, custody or control documents relating to communications
7 between Panasonic and other manufacturers of CRTs regarding the sales and/or pricing of CRTs
8 in the United States, subject to the Relevant Time Period Objection, if any.
9

10 **REQUEST NO. 27**

11 All Documents relating to any Meeting attended by You or any other Defendant or any
12 manufacturer of CRT or CRT Products during which there was any communication concerning
13 the production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products,
14 including, but not limited to the notes of any such Meetings.
15

16 **RESPONSE TO REQUEST NO. 27:**

17 In addition to its General Objections, which are incorporated here by reference, including
18 the Products Objection, Panasonic objects to Request No. 27 as overly broad and to the extent it
19 calls for the production of documents in the possession of third parties not under Panasonic’s
20 control. Subject to the foregoing objections, Panasonic will produce non-privileged documents in
21 its possession, custody or control documents relating to any meeting attended by Panasonic or any
22 other Defendant during which there were communications concerning the production, marketing,
23 pricing, distribution, inventory levels or sale of CRTs in the United States, subject to the Relevant
24 Time Period Objection, if any.
25
26
27
28

REQUEST NO. 28

For each of Your Employees who has or had any non-clerical responsibility for recommending, reviewing, setting or approving prices, price increase announcements, bids or quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of CRT or CRT Products:

- a. all copies of electronic and manual diaries, calendars, appointment books, “to do” lists, day timers or appointment notes;
 - b. all copies of trip and travel logs, records or other supporting Documents;
 - c. all copies of expense reports or other supporting Documents;
 - d. all copies of telephone number logs, directories, notebooks, Rolodex cards or related memoranda;
 - e. all bills, statements, records and supporting Documents concerning long distance or cellular telephone calls;
 - f. all Documents relating to membership in any trade association or industry group;
- and
- g. the complete personnel file for that Employee.

RESPONSE TO REQUEST NO. 28:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 28 as overbroad to the extent it seeks certain documents from Panasonic’s Employees who had “any non-clerical responsibility for recommending, reviewing, setting or approving prices” for the sale of CRT or CRT Products. Subject to the foregoing objections, Panasonic is willing to meet and confer with Plaintiffs to narrow the scope of this request by limiting the number of relevant Employees.

REQUEST NO. 29

Documents sufficient to show the name and address of each trade association (including committees and subcommittees) relating to CRT or CRT Products of which You or any of Your Employees are or have been a member, as well as Documents sufficient to show dates of membership and dates of participation in committees or subcommittees.

RESPONSE TO REQUEST NO. 29:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 29 as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks documents about trade associations located outside the United States. Subject to the foregoing objections, Panasonic will produce non-privileged documents in its possession, custody or control sufficient to show the requested information about trade associations relating to CRTs in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 30

All Documents relating to Meetings of each trade association and each of its committees or subcommittees relating to CRT or CRT Products, including all Documents relating to any such Meeting attended by You and any other CRT or CRT Products manufacturer and Documents sufficient to identify individuals from Your company who attended, the dates of attendance, and the subject matters discussed.

RESPONSE TO REQUEST NO. 30:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 30 as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible

1 evidence to the extent it seeks documents about trade associations located outside the United
2 States. Subject to the foregoing objections, Panasonic will produce non-privileged documents in
3 its possession, custody or control sufficient to show information about any meeting of a trade
4 association attended by Panasonic in the United States relating to CRTs, subject to the Relevant
5 Time Period Objection, if any.

6
7 **REQUEST NO. 31**

8 All studies, analyses, communications, presentations or other Documents that You have
9 submitted to or received from any trade association regarding CRT or CRT Products.

10 **RESPONSE TO REQUEST NO. 31:**

11 In addition to its General Objections, which are incorporated here by reference, including
12 the Products Objection, Panasonic objects to Request No. 31 as unduly burdensome and as
13 seeking documents that are not reasonably calculated to lead to the discovery of admissible
14 evidence to the extent it seeks certain documents submitted to or received from trade associations
15 located outside the United States. Subject to the foregoing objections, Panasonic will produce
16 non-privileged formal studies, analyses, communications, and presentations in its possession,
17 custody or control regarding CRTs submitted to or received from trade associations in the United
18 States, subject to the Relevant Time Period Objection, if any.

19
20 **REQUEST NO. 32**

21 All statements, announcements, disclosures or press releases issued by You or any of
22 Your competitors relating to CRT or CRT Products.

23
24 **RESPONSE TO REQUEST NO. 32:**

25 In addition to its General Objections, which are incorporated here by reference, including
26 the Products Objection, Panasonic objects to Request No. 32 to the extent it calls for the
27 production of documents that are publicly available and are in the possession of third parties not
28

1 under Panasonic's control. Panasonic also objects to this request as overly broad and to the extent
2 it seeks "all" statements, announcements, disclosures or press releases relating to CRT Products.
3 Subject to the foregoing objections, Panasonic will produce non-privileged statements,
4 announcements, disclosures or press releases in its possession, custody or control issued by
5 Panasonic relating to CRTs in the United States, subject to the Relevant Time Period Objection, if
6 any.
7

8 **REQUEST NO. 33**

9 All Documents relating to Your policies or practices directed toward compliance with the
10 United States antitrust laws, including any statements signed by Your Employees with pricing,
11 sales or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and
12 compliance with Your antitrust compliance policy.
13

14 **RESPONSE TO REQUEST NO. 33:**

15 In addition to its General Objections, which are incorporated here by reference, Panasonic
16 objects to Request No. 33 on the grounds that it is vague and ambiguous in its use of the term
17 "relating to" as this term renders the request unlimited in scope in that it does not describe with
18 reasonable particularity the category of documents to be produced. Subject to the foregoing
19 objections, Panasonic will produce non-privileged documents in its possession, custody or control
20 sufficient to show Panasonic's policy or practice directed toward compliance with United States
21 antitrust laws for CRTs and CRT Products, subject to the Relevant Time Period Objection, if any.
22

23 **REQUEST NO. 34**

24 All Documents relating to, prepared for, submitted to, or received from any foreign
25 governmental or legislative investigative body, including the Canadian Competition Bureau, the
26 European Commission, any agency or representative body of any foreign country, state or other
27 political subdivision, or any law enforcement agency, authority or commission in any foreign
28

1 country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT
2 Products. This request includes all Documents relating to proffers, transcripts, notes, summaries,
3 testimony, witness statements, or responses to requests for information that You produced to any
4 foreign governmental agency or foreign grand jury, including any Documents produced as part of
5 any plea bargain negotiations or in connection with any application for or grant of amnesty.
6

7 **RESPONSE TO REQUEST NO. 34:**

8 In addition to its General Objections, which are incorporated here by reference, including
9 the Products Objection, Panasonic objects to Request No. 34 to the extent that the laws or
10 procedures of a foreign country prohibit the production of documents responsive to such requests.
11 Panasonic also objects to this request as unduly burdensome and as seeking documents that are
12 not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks
13 certain documents submitted and received from foreign governmental and legislative
14 investigative bodies relating to the foreign (i.e. non-United States) production, sale, marketing,
15 pricing or distribution of CRTs.
16

17 **REQUEST NO. 35**

18 All Documents relating to proffers, transcripts, notes, summaries, testimony, witness
19 statements, or responses to requests for information that You produced or were seized by any
20 foreign governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary,
21 Thailand, Malaysia, Korea, Japan, Singapore, China or Taiwan.
22

23 **RESPONSE TO REQUEST NO. 35:**

24 In addition to its General Objections, which are incorporated here by reference, Panasonic
25 objects to Request No. 35 as overbroad, unduly burdensome and as seeking information that is
26 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence as the
27 documents sought are constrained by no subject matter limitation. Panasonic also objects to this
28

1 request to the extent that the laws or procedures of a foreign country prohibit the production of
2 documents responsive to such requests. Panasonic further objects to this request as unduly
3 burdensome and as seeking documents that are not reasonably calculated to lead to the discovery
4 of admissible evidence to the extent it seeks certain documents submitted to or seized by
5 particular foreign governmental agencies relating to the foreign (i.e. non-United States)
6 production, sale, marketing, pricing or distribution of CRTs.
7

8 **REQUEST NO. 36**

9 Copies of all subpoenas or requests for production of Documents issued by any foreign
10 governmental or legislative investigative body referring or relating to CRT or CRT Products
11 during the relevant period.
12

13 **RESPONSE TO REQUEST NO. 36:**

14 In addition to its General Objections, which are incorporated here by reference, Panasonic
15 objects to Request No. 36 as overbroad, unduly burdensome and as seeking information that is
16 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

17 Panasonic also objects to this request to the extent that the laws or procedures of a foreign country
18 prohibit the production of documents responsive to such requests.
19

20 **REQUEST NO. 37**

21 All Documents relating to, prepared for, submitted to, or received by You as a result of
22 any investigation or research conducted either internally or by an outside entity with respect to
23 price fixing, price manipulation or manipulation of production or capacity of CRT or CRT
24 Products.
25

26 **RESPONSE TO REQUEST NO. 37:**

27 In addition to its General Objections, which are incorporated here by reference, Panasonic
28 objects to Request No. 37 as it seeks documents subject to attorney-client privilege, work product

1 protection, joint defense or common interest privilege, or any other applicable doctrine, privilege,
2 protection or immunity from production. Panasonic further objects to the extent it seeks
3 information or documents that reflect, refer to, or relate to the ongoing criminal grand jury
4 investigation concerning CRTs in contravention of the Court's Order to Extend Limited
5 Discovery Stay, dated January 30, 2010. Panasonic also objects to this request to the extent that
6 the laws or procedures of a foreign country prohibit the production of documents responsive to
7 such requests.

8
9 **REQUEST NO. 38**

10 All Documents relating to the termination, retirement, discipline, discharge or suspension
11 of any director, officer, or Employee who had any responsibility relating to the production,
12 manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

13 **RESPONSE TO REQUEST NO. 38:**

14
15 In addition to its General Objections, which are incorporated here by reference, Panasonic
16 objects to Request No. 38 as overbroad and seeking information that is neither relevant nor
17 reasonably calculated to lead to the discovery of admissible evidence to the extent it relates to
18 CRT Products. Panasonic further objects that requiring Panasonic to produce all documents
19 responsive to this request would impose an undue burden, which would far outweigh its likely
20 benefit under Rule 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure. Panasonic also
21 objects to this request to the extent it seeks documents subject to attorney-client privilege, work
22 product protection, joint defense or common interest privilege, or any other applicable doctrine,
23 privilege, protection or immunity from production.

24
25 **REQUEST NO. 39**

26 All Documents referring to or relating to plaintiffs in this litigation.
27
28

RESPONSE TO REQUEST NO. 39:

In addition to its General Objections, which are incorporated here by reference, Panasonic objects to Request No. 39 as overbroad and seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Panasonic further objects to this request to the extent it seeks documents subject to attorney-client privilege, work product protection, joint defense or common interest privilege, or any other applicable doctrine, privilege, protection or immunity from production. Subject to the foregoing objections, Panasonic will produce non-privileged documents in its possession, custody or control relating to Plaintiffs in this action, if any.

REQUEST NO. 40

All Documents that You claim would have been available to the plaintiffs or any purchaser of CRT or CRT Products prior to November 2007, which should have caused the plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise, maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the United States.

RESPONSE TO REQUEST NO. 40:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, Panasonic objects to Request No. 40 as inappropriately propounded as a document request because it seeks information more easily obtainable through other means and/or as to which Plaintiffs bear the burden of proof. Panasonic further objects to this request to the extent it purports to seek information that should be in Plaintiffs' possession. Subject to the foregoing objections, Panasonic will produce public documents in its possession, custody or control responsive to this request relating to prices and sales of CRTs to the United States, subject to the Relevant Time Period Objection, if any.

1 Dated: May 12, 2010

By: /s/ David L. Yohai

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 8 HITACHI, LTD.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 IN RE CATHODE RAY TUBE (CRT)
 13 ANTITRUST LITIGATION

Case No. C07-5944 SC

MDL NO. 1917

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

14
 15
 16
 17 This Document Relates To:
 18 DIRECT PURCHASER ACTION
 19

**DEFENDANT HITACHI, LTD.'S
 RESPONSE TO SECOND SET OF
 REQUESTS FOR PRODUCTION OF
 DOCUMENTS FROM DIRECT
 PURCHASER PLAINTIFFS**

20
 21 PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS

22 RESPONDING PARTIES: HITACHI, LTD.

23 SET NUMBER: SECOND (Nos. 1-40 [sic] 6-45)

24 Defendant Hitachi, Ltd. ("Responding Party") hereby timely objects and responds to
 25 Direct Purchaser Plaintiffs' ("Plaintiffs" or "Requesting Party") Second Set of Requests for the
 26 Production of Documents ("Document Requests") served on March 12, 2010, and each document
 27 request set forth therein ("Responses"), as follows.

GENERAL OBJECTIONS

1. Responding Party's responses are based upon information and writings available to and located by Responding Party as of the date of service of these Responses. Responding Party has not completed its investigation of the facts relating to the Document Requests, and all of the information supplied and documents and things produced are based only on such information and documents that are reasonably available and specifically known to Responding Party as of the date of service of its response.

2. No express, incidental or implied admissions are intended by these Responses. The fact that Responding Party agrees to provide information in response to a particular request is not intended and shall not be construed as an admission that Responding Party accepts or admits the existence of any such information set forth in or assumed by such request, or that any such information and/or document constitutes admissible evidence. The fact that Responding Party agrees to provide information in response to a particular request is not intended and shall not be construed as a waiver by Responding Party of any part of any objection to such request or any part of any general objection made herein.

3. Responding Party reserves the right to change, amend, or supplement its objections at a later date. If Plaintiffs assert an interpretation of any aspect of the Document Requests or any of the requests therein that is different from that made by Responding Party, Responding Party reserves the right to supplement its objections if such interpretations made by Plaintiffs are held to be applicable.

4. Responding Party objects to the Document Requests, and each request therein, to the extent they are vague, ambiguous, or contain terms that are insufficiently defined.

5. Responding Party objects to the Document Requests, and each request therein, as overly broad, unduly burdensome, oppressive and beyond the proper scope of discovery.

6. If multiple, identical copies of any document are responsive to the requests herein, only one representative copy will be produced. Producing more than one identical copy is unduly burdensome and oppressive.

7. Responding Party objects to the Document Requests, and each request therein, to

1 the extent they seek documents and materials on matters not relevant to the subject matter of this
 2 action, not admissible in evidence, and not reasonably calculated to lead to the discovery of
 3 admissible evidence.

4 8. Responding Party objects to the Document Requests, and each request therein, to
 5 the extent they seek to impose on it discovery obligations inconsistent with, or not authorized
 6 under, the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

7 9. Responding Party objects to the Document Requests, and to each request therein,
 8 to the extent they seek to impose on it discovery obligations inconsistent with, or not authorized
 9 under, the Local Rules of the United States District Court in and for the Northern District of
 10 California (the "Local Rules").

11 10. Responding Party objects to the Document Requests, and to each request therein,
 12 to the extent they seek to impose on it discovery obligations exceeding the scope of the
 13 Stipulation and Order to Extend Limited Discovery Stay that the Court entered on January 5,
 14 2010 (the "Stay Order").

15 11. Responding Party objects to the Document Requests, and each request therein, to
 16 the extent they seek documents and information that are beyond the scope of the Sherman
 17 Antitrust Act, 15 U.S.C. § 1.

18 12. Responding Party objects to the Document Requests, and each request therein, to
 19 the extent they fail to describe the documents and things sought with a reasonable degree of
 20 specificity.

21 13. Responding Party shall attempt to construe the terms and phrases used by
 22 Plaintiffs in a way to give those terms and phrases a meaning which will result in the production
 23 of relevant information or information designed to lead to the discovery of admissible evidence.

24 14. Responding Party objects to the Document Requests, and each request therein, to
 25 the extent they seek the discovery of documents regarding Responding Party's sales outside of the
 26 United States and unrelated to United States commerce, as such sales are beyond the scope of this
 27 litigation and thereby render the Document Requests overly broad, unduly burdensome, and not
 28 reasonably calculated to lead to the discovery of admissible evidence.

1 15. Responding Party objects to the Document Requests, and each request therein, to
2 the extent they seek documents, including but not limited to electronic documents, the disclosure
3 of which is prohibited by a law, regulation, or order of a court or other authority of a foreign
4 jurisdiction in which the documents are located.

5 16. Responding Party objects to the Document Requests, and each request therein, to
6 the extent they seek documents that are no longer active or readily accessible on Responding
7 Party's database but might exist in electronic archives or back-up files. Responding Party will
8 not rebuild these electronic archives and back-up files in order to search for documents that may
9 be responsive to the Document Requests. Based on the dates of the information sought, a portion
10 of Responding Party's potential responsive data will likely not be on active databases.

11 17. Responding Party objects to the Document Requests, and each request therein, to
12 the extent they seek to impose on Responding Party an obligation to investigate or discover
13 information or materials from third parties or sources who are equally accessible to Plaintiffs.

14 18. Responding Party objects to the Document Requests and each request therein, to
15 the extent they contain duplicative requests, in whole or in part. To the extent responsive
16 documents have previously been produced, they will not be produced again.

17 19. Responding Party objects to the Document Requests, and each request therein, to
18 the extent that they purport to call for Responding Party to engage in an investigation or to obtain
19 information and/or documents not in its personal possession, custody or control. In addition,
20 Responding Party objects to the extent the Document Requests require Responding Party to
21 respond and/or produce documents on behalf of any person or entity other than itself.

22 20. Responding Party objects to the Document Requests, and each request therein, to
23 the extent that they seek documents that are in the public record or which are equally accessible to
24 the Plaintiffs as to Responding Party.

25 21. Responding Party objects to the Document Requests, and each request therein, to
26 the extent that they attempt and/or purport to call for production of any information and/or
27 documents that are privileged, including, but not limited to, documents and materials that were
28 prepared in anticipation of litigation, ADR, or for trial, that reveal communications between

1 Responding Party and its legal counsel, and/or that otherwise constitute attorney-work product,
 2 joint defense or common interest privilege, or by any other applicable doctrine or privilege, or
 3 that are otherwise privileged or immune from discovery. Inadvertent testimony, production, or
 4 disclosure of any such information and/or document is not intended to and shall not constitute a
 5 waiver of any privilege or any other ground for objecting to discovery with respect to such
 6 testimony, information, and/or document, or with respect to the subject matter thereof. Nor shall
 7 such inadvertent production or disclosure waive Responding Party's right to object to the use of
 8 any such testimony, information, and/or document during this action or in any other or
 9 subsequent proceeding. Hence, Responding Party objects to each request to the extent each seeks
 10 testimony, documents, and information that are protected by the attorney-client privilege and/or
 11 the attorney work product doctrine.

12 22. No response herein should be deemed or construed as a representation that
 13 Responding Party agrees with or acquiesces in the characterization of any fact, assumption or
 14 conclusion of law contained in or implied by the Document Requests.

15 23. Responding Party objects to the Document Requests, and each request therein, to
 16 the extent they seek information and/or documents that would disclose proprietary information,
 17 trade secrets or other confidential research, development, or other confidential information
 18 protected by the Uniform Trade Secrets Act, among others, any and all rights of privacy under the
 19 United States Constitution or Article I of the Constitution of the State of California, or any other
 20 applicable law or state constitution, or that is otherwise prohibited from disclosure because to do
 21 so would cause Responding Party to violate legal and/or contractual obligations to any other
 22 persons or entities. Where applicable, Responding Party's Responses to the Document Requests
 23 are subject to the provisions of the Stipulated Protective Order that the Court entered on June 18,
 24 2008 (the "Protective Order"). Responding Party's Responses are hereby designated
 25 "Confidential" in accordance with the provisions of the Protective Order.

26 24. By representing that it will or will not produce documents, Responding Party does
 27 not represent that such documents exist.

25. Subject to and without waving any of the foregoing objections, each of which is expressly incorporated into each individual response below as if fully stated therein, Responding Party expressly reserves the following rights:

a. Any and all testimony and information provided and/or documents produced by Responding Party in response to the Document Requests are and will remain subject to all objections as to relevance, materiality, propriety, and admissibility, as well as to any and all other objections on any grounds that would require the exclusion of the testimony, information, and/or document or any portion thereof if such testimony, information, and/or document was offered in evidence, all of which objections and grounds are hereby expressly reserved and may be interposed at the time of any written discovery, deposition, or at or before any hearing, arbitration or trial in this matter;

b. The right to object on any ground whatsoever at any time to any demand for further responses to the Document Requests or any other discovery procedures involving or relating to the subject matter of the Document Requests; and

c. The right to supplement the documents produced, or otherwise to supplement, revise or explain the information contained therein in light of information gathered through further investigation and discovery.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

DEFINITION NO. 1:

“All” should be construed to include the collective as well as the singular and shall mean “each,” “any,” and “every.”

OBJECTION TO DEFINITION NO. 1:

No objection.

DEFINITION NO. 2:

“Any” shall be construed to mean “any and all.”

OBJECTION TO DEFINITION NO. 2:

No objection.

DEFINITION NO. 3:

“Communication” means without limitation, oral or written communications of any kind, such as electronic communications, e-mails, facsimiles, telephone communications, correspondence, exchange of written or recorded information, or face-to-face Meetings. The phrase “communication between” is defined to include instances where one party addresses the other party but the other party does not necessarily respond.

OBJECTION TO DEFINITION NO. 3:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

DEFINITION NO. 4:

“Date” means the exact day, month and year, if ascertainable, or the best available approximation, including any relationship to other known events (designate whether exact or approximate).

OBJECTION TO DEFINITION NO. 4:

No objection.

DEFINITION NO. 5:

“Defendant” means any company, organization, entity or person presently or subsequently named as a defendant in this litigation.

OBJECTION TO DEFINITION NO. 5:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this definition on the ground it calls for a legal conclusion.

Responding Party objects to this definition as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or
 3 other confidential research, development, or confidential information protected by the Uniform
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 5 One of the Constitution of the State of California, or any other applicable state constitution or
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 9 reserves the right to provide such documents an/or information only pursuant to the Protective
 10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
 12 for the production of any information and/or documents that are privileged, that were prepared in
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its
 14 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or
 15 common interest privilege, or that are otherwise privileged or immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
 17 or entities other than Responding Party. To the extent and in the context a request uses the term
 18 "Defendant," Responding Party understands that the request and its obligations only extend to
 19 information and/or documents within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents or
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 22 definition to the extent that it requires Responding Party to respond and/or produce documents or
 23 information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 6:**

26 "Document" means without limitation, the original and all non-identical copies of all
 27 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition
 28 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars,

1 diaries, travel records, summaries, records of telephone conversations, telegrams, notes, reports,
 2 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,
 3 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,
 4 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer
 5 files and disks, sales, advertising and promotional literature, agreements, stored recordings,
 6 minutes or other records of meetings, all written or graphic records or representations of any kind,
 7 and all mechanical or electronic data, records or representations of any kind.

8 **OBJECTION TO DEFINITION NO. 6:**

9 Responding Party objects to this definition to the extent that it seeks to expand the scope
 10 of Rule 34 of the Federal Rules of Civil Procedure.

11 Responding Party also objects to this definition as overly broad to the extent it seeks
 12 documents and/or information that are not relevant to the subject matter of this action, not
 13 admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence,
 14 and unduly burdensome to search for and produce.

15 **DEFINITION NO. 7:**

16 “Electronic data” includes, without limitation, the following:

- 17 a. activity listings of electronic mail receipts and/or transmittals;
- 18 b. output resulting from the use of any software program, including, without
 19 limitation, word processing documents, spreadsheets, database files, charts, graphs and outlines,
 20 electronic mail, AOL Instant Messenger™ (or similar program) or bulletin board programs,
 21 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all
 22 miscellaneous media on which they reside and regardless of whether said electronic data exists in an
 23 active file, a deleted file, or file fragment;
- 24 c. any and all items stored on computer memories, hard disks, floppy disks,
 25 CD-ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or
 26 transmittal, such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M.,
 27 Blackberry, or similar device, and file folder tabs, and/or containers and labels appended to, or
 28 relating to, any physical storage device associated with each original and/or copy of all

documents requested herein.

OBJECTION TO DEFINITION NO. 7:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party also objects to this definition as overly broad to the extent it seeks documents and/or information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

Responding Party objects to this definition to the extent it seeks documents that are no longer active or readily accessible on Responding Party's database but might exist in electronic archives or back-up files. Responding Party will not rebuild these electronic archives and back-up files in order to search for documents that may be responsive to the Document Requests. Based on the dates of the information sought, a portion of Responding Party's potential responsive data will likely not be on active databases.

DEFINITION NO. 8:

"Employee" means, without limitation, any current or former officer, director, executive, manager, secretary, staff member, messenger, agent or other person who is or was employed by a defendant.

OBJECTION TO DEFINITION NO. 8:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this definition on the ground it calls for a legal conclusion.

Responding Party objects to this definition as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or
 3 other confidential research, development, or confidential information protected by the Uniform
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 5 One of the Constitution of the State of California, or any other applicable state constitution or
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 9 reserves the right to provide such information and/or documents only pursuant to the Protective
 10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
 12 for the production of any documents and/or information that are privileged, that were prepared in
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its
 14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or
 15 immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
 17 or entities other than Responding Party. To the extent and in the context a request uses the term
 18 "Defendant," Responding Party understands that the request and its obligations only extend to
 19 documents and/or information within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents and/or
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 22 definition to the extent that it requires Responding Party to respond and/or produce documents
 23 and/or information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 9:**

26 "Including" is used to emphasize certain types of documents requested and should not be
 27 construed as limiting the request in any way.

OBJECTION TO DEFINITION NO. 9:

No objection.

DEFINITION NO. 10:

“Meeting” means, without limitation, any assembly, convocation, encounter, or contemporaneous presence of two or more persons for any purpose, whether planned or arranged, scheduled or not.

OBJECTION TO DEFINITION NO. 10:

No objection.

DEFINITION NO. 11:

“Or” and “and” should be construed so as to require the broadest possible response. If, for example, a request calls for information about “A or B” or “A and B,” you should produce all information about A and all information about B, as well as all information about A and B collectively. In other words, “or” and “and” should be read as “and/or.”

OBJECTION TO DEFINITION NO. 11:

No objection.

DEFINITION NO. 12:

“Person” means, without limitation, any natural person, corporation, partnership, limited liability company, proprietorship, joint venture, association, government entity, group or other form of legal entity.

OBJECTION TO DEFINITION NO. 12:

Responding Party objects to this definition to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this definition on the ground it calls for a legal conclusion.

Responding Party objects to this definition as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

1 Responding Party objects to this definition to the extent it seeks information and
 2 documents that would disclose Responding Party's or a third party's respective trade secrets or
 3 other confidential research, development, or confidential information protected by the Uniform
 4 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 5 One of the Constitution of the State of California, or any other applicable state constitution or
 6 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 7 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 8 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 9 reserves the right to provide such information and/or documents only pursuant to the Protective
 10 Order in this action.

11 Responding Party objects to this definition to the extent that it attempts or purports to call
 12 for the production of any documents and/or information that are privileged, that were prepared in
 13 anticipation of litigation or trial, that reveal communications between Responding Party and its
 14 legal counsel, that otherwise constitute attorney work product, or that are otherwise privileged or
 15 immune from discovery.

16 Responding Party objects to this definition to the extent it is intended to include persons
 17 or entities other than Responding Party. To the extent and in the context a request uses the term
 18 "Person," Responding Party understands that the request and its obligations only extend to
 19 documents and/or information within Responding Party's possession, custody or control.

20 Responding Party objects to this definition to the extent that it calls for documents and/or
 21 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 22 definition to the extent that it requires Responding Party to respond and/or produce document
 23 and/or information on behalf of any person or entity other than itself.

24 Responding Party will respond on behalf of Hitachi, Ltd. only.

25 **DEFINITION NO. 13:**

26 "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation,
 27 the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing,
 28 evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording,

1 summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

2 **OBJECTION TO DEFINITION NO. 13:**

3 Responding Party objects to this definition to the extent it attempts to impose obligations
4 on Responding Party and/or seeks documents, beyond those required to be produced pursuant to
5 the Federal Rules of Civil Procedure.

6 Responding Party objects to the expressions “relating to,” “referring to,” “regarding,” or
7 “with respect to” to the extent they mean more than comprising, or on its face discusses, pertains
8 to or is connected with a well-defined, unambiguous and identifiable topic or subject matter.

9 Responding Party objects to this definition because responding to such overly broad,
10 vague and ambiguous requests would be unduly burdensome and oppressive.

11 **DEFINITION NO. 14:**

12 “CRT” means cathode ray tube(s) and “CRT products” means products containing
13 cathode ray tubes.

14 **OBJECTION TO DEFINITION NO. 14:**

15 Responding Party objects to this definition to the extent it attempts to impose obligations
16 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
17 the Federal Rules of Civil Procedure.

18 Responding Party objects to this definition on the ground the term “CRT Products” is
19 vague, ambiguous, unintelligible, and overly broad to the extent it seeks documents and
20 information that are not relevant to the subject matter of this action, not admissible in evidence,
21 not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome
22 to search for and produce. Moreover, any discovery as to “CRT Products” that is not reasonably
23 related to Plaintiffs’ claims with respect to an alleged conspiracy involving CRTs is premature
24 and overly burdensome until such time as Plaintiffs establish a reasonable basis for their claims
25 regarding “CRT Products” to justify the enormous burden that Plaintiffs seek to impose on
26 Responding Party by pursuing discovery as to all such products.

27 **DEFINITION NO. 15:**

28 “You,” “Your,” or “Your company” mean the responding Defendant, its predecessors,

1 successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any
 2 organization or entity which the responding Defendant manages or controls, together with all
 3 present and former directors, officers, Employees, agents, representatives or any persons acting or
 4 purporting to act on behalf of the responding defendant.

5 **OBJECTION TO DEFINITION NO. 15:**

6 Responding Party objects to this definition to the extent it attempts to impose obligations
 7 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
 8 the Federal Rules of Civil Procedure.

9 Responding Party objects to this definition on the ground it calls for a legal conclusion.

10 Responding Party objects to this definition as vague, ambiguous, unintelligible, overly
 11 broad to the extent it seeks documents and information that are not relevant to the subject matter
 12 of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of
 13 admissible evidence, and unduly burdensome to search for and produce.

14 Responding Party objects to this definition to the extent it seeks documents and
 15 information that would disclose Responding Party's or a third party's respective trade secrets or
 16 other confidential research, development, or confidential information protected by the Uniform
 17 Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article
 18 One of the Constitution of the State of California, or any other applicable state constitution or
 19 law, or which is otherwise prohibited from disclosure because to do so would cause Responding
 20 Party to violate legal or contractual obligations to any other persons or entities. Where it may be
 21 appropriate to do so and with adequate protections and limitations, Responding Party expressly
 22 reserves the right to provide such information and/or documents only pursuant to the Protective
 23 Order in this action.

24 Responding Party objects to this definition to the extent that it attempts or purports to call
 25 for the production of any documents and/or information that are privileged, that were prepared in
 26 anticipation of litigation or trial, that reveal communications between Responding Party and its
 27 legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or
 28 common interest privilege, or that are otherwise privileged or immune from discovery.

1 Responding Party objects to this definition to the extent it is intended to include persons
 2 or entities other than Responding Party. To the extent and in the context a request uses the term
 3 “You,” “Your,” or “Your Company,” Responding Party understands that the request and its
 4 obligations only extend to documents and/or information within Responding Party’s possession,
 5 custody or control.

6 Responding Party objects to this definition to the extent that it calls for documents and/or
 7 information beyond Responding Party’s knowledge. In addition, Responding Party objects to this
 8 definition to the extent that it requires Responding Party to respond and/or produce documents
 9 and/or information on behalf of any person or entity other than itself.

10 Responding Party will respond on behalf of Hitachi, Ltd. only.

11 **INSTRUCTION NO. 1:**

12 Unless otherwise noted, the Relevant Time Period for these document requests is January
 13 1, 1995 through the present (the “Relevant Time Period”). These Document requests seek all
 14 responsive Documents created or generated during the Relevant Time Period, as well as
 15 responsive Documents created or generated outside the Relevant Time Period, but which contain
 16 information concerning the Relevant Time Period.

17 **OBJECTION TO INSTRUCTION NO. 1:**

18 Responding Party objects to this instruction on the grounds it is vague, ambiguous,
 19 unintelligible, over broad and seeks information or materials on matters not relevant to the subject
 20 matter of this action, not admissible in evidence, and not reasonably calculated to lead to the
 21 discovery of admissible evidence.

22 The “Relevant Time Period” as defined in this instruction exceeds the putative class
 23 period, which begins on January 1, 1995 and ends on November 25, 2007 (Direct Purchaser
 24 Plaintiffs’ Consolidated Amended Complaint ¶ 1), and seeks documents and information beyond
 25 the statute of limitations. Judge Conti has directed the parties to Judge Legge to develop
 26 procedures for the early resolution of statute of limitations issues and to reduce the burden in
 27 connection therewith. Responding Party believes it is premature for it to have to produce any
 28 documents from prior to the statute of limitations period until Judge Legge considers this issue

1 and determines the proper scope of that burden.

2 For purposes of responding to these Document Requests, Responding Party will interpret
3 “Relevant Time Period” to mean November 26, 2003 through November 25, 2007 (the
4 “Limitations Period”).

5 **INSTRUCTION NO. 2:**

6 To the extent Documents responsive to any of these Document requests have already been
7 produced to plaintiffs, there is no need to produce those Documents a second time. Instead,
8 please provide the bates numbers of any responsive Documents already produced.

9 **OBJECTION TO INSTRUCTION NO. 2:**

10 Responding Party objects to this instruction to the extent it attempts to impose obligations
11 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
12 the Federal Rules of Civil Procedure.

13 Responding Party objects to this instruction on the ground it is unduly burdensome and
14 oppressive.

15 **INSTRUCTION NO. 3:**

16 Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these Document requests
17 are continuing in nature so that if You subsequently discover or obtain possession, custody, or
18 control of any Document covered by these requests, You shall promptly make any such
19 Document available to plaintiffs.

20 **OBJECTION TO INSTRUCTION NO. 3:**

21 Responding Party objects to this instruction to the extent it attempts to impose obligations
22 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
23 the Federal Rules of Civil Procedure.

24 **INSTRUCTION NO. 4:**

25 In producing documents and other materials, you are to furnish all Documents or things in
26 Your possession, custody or control, regardless of whether such documents or materials are
27 possessed directly by You or Your Employees, agents, parent company(ies), subsidiaries,
28 affiliates, investigators or by Your attorneys or their Employees, agents or investigators.

OBJECTION TO INSTRUCTION NO. 4:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this instruction on the ground it calls for a legal conclusion.

Responding Party objects to this instruction as vague, ambiguous, unintelligible, overly broad to the extent it seeks documents and information that are not relevant to the subject matter of this action, not admissible in evidence, not reasonably calculated to lead to the discovery of admissible evidence, and unduly burdensome to search for and produce.

Responding Party objects to this instruction to the extent it seeks documents and information that would disclose Responding Party's or a third party's respective trade secrets or other confidential research, development, or confidential information protected by the Uniform Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article One of the Constitution of the State of California, or any other applicable state constitution or law, or which is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal or contractual obligations to any other persons or entities. Where it may be appropriate to do so and with adequate protections and limitations, Responding Party expressly reserves the right to provide such information and/or documents only pursuant to the Protective Order in this action.

Responding Party objects to this instruction to the extent that it attempts or purports to call for the production of any documents and/or information that are privileged, that were prepared in anticipation of litigation or trial, that reveal communications between Responding Party and its legal counsel, that otherwise constitute attorney work product, are subject to the joint defense or common interest privilege, or that are otherwise privileged or immune from discovery.

Responding Party objects to this instruction to the extent it is intended to include persons or entities other than Responding Party. To the extent and in the context a request uses the term "Defendant," Responding Party understands that the request and its obligations only extend to documents and/or information within Responding Party's possession, custody or control.

1 Responding Party objects to this instruction to the extent that it calls for documents and/or
 2 information beyond Responding Party's knowledge. In addition, Responding Party objects to this
 3 instruction to the extent that it requires Responding Party to respond and/or produce documents
 4 and/or information on behalf of any person or entity other than itself.

5 Responding Party will respond on behalf of Hitachi, Ltd. only.

6 **INSTRUCTION NO. 5:**

7 Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all Documents shall be
 8 produced in the same order as they are kept or maintained by You in the ordinary course of Your
 9 business. All Documents shall be produced in the file folder, envelope or other container in
 10 which the Documents are kept or maintained. If for any reason the container cannot be produced,
 11 You should produce copies of all labels or other identifying marks which may be present on the
 12 container.

13 **OBJECTION TO INSTRUCTION NO. 5:**

14 Responding Party objects to this instruction to the extent it attempts to impose obligations
 15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
 16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 6:**

18 Documents shall be produced in such fashion as to identify the department, branch or
 19 office in whose possession they were located and, where applicable, the natural person in whose
 20 possession they were found and the business address of each Document(s) custodian(s).

21 **OBJECTION TO INSTRUCTION NO. 6:**

22 Responding Party objects to this instruction to the extent it attempts to impose obligations
 23 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
 24 the Federal Rules of Civil Procedure.

25 Responding Party objects to this instruction on the ground it is unduly burdensome and
 26 oppressive.

27 **INSTRUCTION NO. 7:**

28 Documents attached to one another should not be separated. If any portion of any

Document is responsive to any portion of the Document requests below, then the entire Document must be produced.

OBJECTION TO INSTRUCTION NO. 7:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

INSTRUCTION NO. 8:

If a Document once existed and subsequently has been lost, destroyed or is otherwise missing, You should provide sufficient information to identify the Document and state, in writing, the details, including whether the Document:

- a. is lost or missing;
- b. has been destroyed and, if so, by whom at whose request;
- c. has been transferred or delivered, voluntarily or involuntarily, to another person or entity and at whose request; and/or
- d. has been otherwise disposed of.

OBJECTION TO INSTRUCTION NO. 8:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects on the grounds that it is impossible to identify, describe, and further explain the circumstances regarding every document that ever “once existed and subsequently has been lost, destroyed, or is otherwise missing.” To the extent that it is even possible to identify, describe, and explain the circumstances regarding such documents, this investigation would impose a unique, time-consuming and unreasonable burden.

Responding Party objects to this instruction on the ground it is unduly burdensome and oppressive.

INSTRUCTION NO. 9:

In each instance in which a Document once existed and subsequently is lost, missing,

1 destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the
2 Document, including, but not limited to:

- 3 a. the identity of the person or entity who last possessed the Document;
- 4 b. the date or approximate date of the Documents disposition; and
- 5 c. the identity of all Persons who have or had knowledge of the Document's
6 contents.

7 **OBJECTION TO INSTRUCTION NO. 9:**

8 Responding Party objects to this instruction to the extent it attempts to impose obligations
9 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
10 the Federal Rules of Civil Procedure.

11 Responding Party objects to this instruction on the ground it is unduly burdensome and
12 oppressive.

13 **INSTRUCTION NO. 10:**

14 If any Document responsive to any of these requests is privileged, and the Document or
15 any portion of the Document requested is withheld based on a claim of privilege pursuant to Rule
16 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and
17 all facts relied upon in support of that claim, including the following information:

- 18 a. the reason for withholding the Document;
- 19 b. the date of such communication;
- 20 c. the medium of such communication;
- 21 d. the general subject matter of such communication (such description shall
22 not be considered a waiver of Your claimed privilege);
- 23 e. the identity of any Document that was the subject of such communication
24 and the present location of any such Document;
- 25 f. the identity of the Persons involved in such communication;
- 26 g. the identity of any Document which records, refers, or relates to such
27 communication and present location of any such Document;
- 28 h. the paragraph or paragraphs of these requests for production of Documents

1 to which such information is responsive.

2 **OBJECTION TO INSTRUCTION NO. 10:**

3 Responding Party objects to this instruction to the extent it attempts to impose obligations
4 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
5 the Federal Rules of Civil Procedure or the Federal Rules of Evidence.

6 **INSTRUCTION NO. 11:**

7 Each Document requested herein should be produced in its entirety and without deletion,
8 redaction or excisions, except as qualified by Instruction 10 above, regardless of whether You
9 consider the entire Document or only part of it to be relevant or responsive to these Document
10 requests. If you have redacted any portion of a Document, stamp the word “REDACTED” beside
11 the redacted information on each page of the Document which you have redacted. Any
12 redactions to Documents produced should be identified in accordance with Instruction 10 above.

13 **OBJECTION TO INSTRUCTION NO. 11:**

14 Responding Party objects to this instruction to the extent it attempts to impose obligations
15 on Responding Party and/or seeks documents beyond those required to be produced pursuant to
16 the Federal Rules of Civil Procedure.

17 **INSTRUCTION NO. 12:**

18 All Documents produced should be Bates numbered sequentially, with a unique number
19 on each page, and with a prefix identifying the party producing the Document.

20 **OBJECTION TO INSTRUCTION NO. 12:**

21 No objection.

22 **INSTRUCTION NO. 13:**

23 Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must
24 produce any electronically stored information (“ESI”) in its native format. If ESI in its native
25 format can only be accessed by proprietary or legacy software, or is password protected, or
26 encrypted, the responding party must meet and confer with plaintiffs’ lead counsel so the
27 receiving party shall receive all information and software necessary to access the ESI.

OBJECTION TO INSTRUCTION NO. 13:

Responding Party objects to this instruction to the extent it attempts to impose obligations on Responding Party and/or seeks documents beyond those required to be produced pursuant to the Federal Rules of Civil Procedure.

Responding Party objects to this instruction to the extent it seeks documents and information that would disclose Responding Party's or a third party's respective trade secrets or other confidential research, development, or confidential information protected by the Uniform Trade Secrets Act, any and all rights of privacy under the United States Constitution or Article One of the Constitution of the State of California, or any other applicable state constitution or law, including any copyright or license, or which is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal or contractual obligations to any other persons or entities. Where it may be appropriate to do so and with adequate protections and limitations, Responding Party expressly reserves the right to provide such information and/or documents only pursuant to the Protective Order in this action.

Each of the foregoing General Objections and Objections to Definitions and Instructions is incorporated into the following specific objections. Accordingly, each specific objection is made subject to, and without waiver of, the foregoing General Objections and Objections to Definitions and Instructions. Responding Party incorporates by reference each and every General Objection and Objection to Definitions and Instructions into each and every specific response. From time to time a specific response may repeat a General Objection or Object to the Definitions and Instructions for emphasis or some other reason. The failure to repeat any General Objection or Objection to the Definitions and Instructions in any specific response shall not be interpreted as a waiver of any General Objection or Objection to the Definitions and Instructions to that response.

SPECIFIC RESPONSES TO DOCUMENT REQUESTS**REQUEST NO. 1 [SIC] REQUEST NO. 6:**

Documents sufficient to show Your corporate structure or organization throughout the relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint

ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States, including, where applicable, the percentage of any stock or other interests owned by each entity in the chain.

RESPONSE TO REQUEST NO. 1 [SIC] REQUEST NO. 6:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad

1 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 2 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 3 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 4 statute of limitations.

5 Responding Party objects to this request on the grounds that, to the extent it seeks
 6 documents not related to CRTs only, this request is overly broad and unduly burdensome and
 7 purports to call for information that is not relevant to the claim or defense of any party, not
 8 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
 9 discovery of admissible evidence.

10 Responding Party objects to the extent this request seeks documents that are no longer
 11 active or readily accessible in electronic form which renders this request overly broad and unduly
 12 burdensome.

13 Responding Party objects to this request to the extent this request is duplicative of
 14 Document Request No. 3 of Plaintiffs' First Set of Requests for Production of Documents.

15 Subject to and without waiving the general and specific objections stated above,
 16 Responding Party responds that it will make reasonable efforts to identify documents responsive
 17 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 18 documents.

19 **REQUEST NO. 2 [SIC] REQUEST NO. 7:**

20 As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents,
 21 affiliates and joint ventures, Documents sufficient to identify each executive or Employee with
 22 managerial authority who had responsibilities or duties with respect to each of the following:

- 23 (a) the manufacturing or production of CRT or CRT Products;
- 24 (b) the marketing of CRT or CRT Products;
- 25 (c) the pricing of CRT or CRT Products;
- 26 (d) the sale or distribution of CRT or CRT Products;
- 27 (e) maintaining any electronic database(s), including archives, of e-mail or other
 28 electronic Documents relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 2 [SIC] REQUEST NO. 7:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects to this request on the grounds that, to the extent it seeks
2 documents not related to CRTs only, this request is overly broad and unduly burdensome and
3 purports to call for information that is not relevant to the claim or defense of any party, not
4 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
5 discovery of admissible evidence.

6 Responding Party objects to the extent this request seeks documents that are no longer
7 active or readily accessible in electronic form which renders this request overly broad and unduly
8 burdensome.

9 Responding Party objects that the term “managerial authority” is vague and ambiguous,
10 rendering this request overly broad and unduly burdensome, not relevant and not reasonably
11 calculated to lead to the discovery of admissible evidence.

12 Responding Party objects to this request to the extent this request is duplicative of
13 Document Request No. 4 of Plaintiffs’ First Set of Requests for Production of Documents.

14 Subject to and without waiving the general and specific objections stated above,
15 Responding Party responds that it will make reasonable efforts to identify documents responsive
16 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
17 documents.

18 **REQUEST NO. 3 [SIC] REQUEST NO. 8:**

19 Documents sufficient to describe Your policies or practices with respect to the retention or
20 destruction of Documents during the period January 1, 1991 through the present, and, if such
21 policy or practice has been different with respect to any category of Documents or over different
22 times, Documents sufficient to identify each such category or time period and to describe Your
23 retention policy or practice with respect to each such category or time period.

24 **RESPONSE TO REQUEST NO. 3 [SIC] REQUEST NO. 8:**

25 Responding Party reasserts and incorporates each of the General Objections and
26 Objections to Definitions and Instructions set forth above.

27 Responding Party objects to this request on the grounds that it is overly broad, unduly
28 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects to this request on the grounds it seeks information and/or
 2 documents that would disclose confidential information protected by any and all rights of privacy
 3 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 4 from disclosure because to do so would cause Responding Party to violate legal and/or
 5 contractual obligations to any other persons or entities.

6 Responding Party objects to this request on the grounds that it seeks production of
 7 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 8 common interest privilege, or by any other applicable doctrine or privilege.

9 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 13 statute of limitations.

14 Responding Party objects to this request on the grounds that, to the extent it seeks
 15 documents not related to CRTs only, this request is overly broad and unduly burdensome and
 16 purports to call for information that is not relevant to the claim or defense of any party, not
 17 relevant to the subject matter involved in this action, and not reasonably calculated to lead to the
 18 discovery of admissible evidence

19 Responding Party objects to this request on the grounds that, to the extent it seeks
 20 documents not related to the allegations in the Complaint, the request is overly broad and unduly
 21 burdensome, and purports to call for information that is not relevant to the claim or defense of
 22 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
 23 to lead to the discovery of admissible evidence.

24 Subject to and without waiving the objections stated above, Responding Party will
 25 produce those non-privileged, responsive documents within the limitations period within its
 26 possession, custody or control, to the extent any such documents exist.

27 **REQUEST NO. 4 [SIC] REQUEST NO. 9:**

28 Documents sufficient to show the manner in which You have maintained records relating

1 to CRT or CRT Products during the period January 1, 1991 through the present, including
 2 Documents sufficient to describe all electronic data processing systems, programs and outputs
 3 used to record, store, compute, analyze or retrieve electronically stored information relating to
 4 Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United
 5 States.

6 **RESPONSE TO REQUEST NO. 4 [SIC] REQUEST NO. 9:**

7 Responding Party reasserts and incorporates each of the General Objections and
 8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly
 10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects to this request on the grounds that it seeks production of
 12 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 13 common interest privilege, or by any other applicable doctrine or privilege.

14 Responding Party objects to this request on the grounds it seeks information and/or
 15 documents that would disclose confidential information protected by any and all rights of privacy
 16 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 17 from disclosure because to do so would cause Responding Party to violate legal and/or
 18 contractual obligations to any other persons or entities.

19 Responding Party objects to this request on the grounds that, to the extent it seeks
 20 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
 21 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 22 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 23 action, and not reasonably calculated to lead to the discovery of admissible evidence.

24 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 25 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 26 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 27 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 28 statute of limitations.

1 Responding Party objects on the grounds that, to the extent this request seeks documents
2 not related to the allegations in the Complaint, this request is overly broad and unduly
3 burdensome, and purports to call for information that is not relevant to the claim or defense of
4 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
5 to lead to the discovery of admissible evidence.

6 Responding Party objects that the phrase “manner in which You have maintained records”
7 is vague, ambiguous, and unintelligible, rendering the request overly broad and unduly
8 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
9 evidence.

10 Subject to and without waiving the objections stated above, Responding Party will
11 produce those non-privileged, responsive documents within the limitations period within its
12 possession, custody or control, to the extent any such documents exist.

13 **REQUEST NO. 5 [SIC] REQUEST NO. 10:**

14 All Documents and electronic data relating to Your sales of CRT or CRT Products during
15 the period January 1, 1991 through the present, including, but not limited to:

- 16 a) customer names, customer billing addresses, and customer ship-to addresses;
- 17 b) sales terms;
- 18 c) sales dates and shipment dates;
- 19 d) product type, class, category, description, and respective use;
- 20 e) sales volumes;
- 21 f) unit price information, gross price, and actual net prices;
- 22 g) discounts, credits, and rebates;
- 23 h) shipping charges and terms;
- 24 i) any other related charges; and
- 25 j) amounts paid, dates paid, invoice numbers, and purchase order numbers. If such
26 data are not kept, or have not been kept, in electronic form in the ordinary course
27 of Your business or are otherwise not available in electronic form, please produce
28 such data in hard copy.

RESPONSE TO REQUEST NO. 5 [SIC] REQUEST NO. 10:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

1 Responding Party objects on the grounds that it seeks documents not in existence or not
2 currently in its possession, custody or control.

3 Responding Party objects to the extent this request seeks documents that are no longer
4 active or readily accessible in electronic form which renders this request overly broad and unduly
5 burdensome.

6 Responding Party objects that the terms “respective use” and “related charges” are vague,
7 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not
8 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects to the extent this request is duplicative of Document Request
10 No. 5 of Plaintiffs’ First Set of Requests for Production.

11 Subject to and without waiving the general and specific objections stated above,
12 Responding Party responds that it will make reasonable efforts to identify documents responsive
13 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
14 documents.

15 **REQUEST NO. 6 [SIC] REQUEST NO. 11:**

16 All software instructions, programs, manuals, or other Documents necessary to operate,
17 run or understand any of the programs maintained on the computer-related equipment or system
18 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,
19 including all record laYouts [sic], field codes or other descriptions.

20 **RESPONSE TO REQUEST NO. 6 [SIC] REQUEST NO. 11:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, including copyright and
8 licensing agreements, or that is otherwise prohibited from disclosure because to do so would
9 cause Responding Party to violate legal and/or contractual obligations to any other persons or
10 entities.

11 Responding Party objects to this request on the grounds that, to the extent it seeks
12 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
13 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
14 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
15 action, and not reasonably calculated to lead to the discovery of admissible evidence.

16 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
17 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
18 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
19 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
20 statute of limitations.

21 Responding Party objects to the extent this request seeks documents that are no longer
22 active or readily accessible in electronic form which renders this request overly broad and unduly
23 burdensome.

24 Responding Party objects on the grounds that, to the extent this request seeks documents
25 not related to the allegations in the Complaint, this request is overly broad and unduly
26 burdensome, and purports to call for information that is not relevant to the claim or defense of
27 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
28 to lead to the discovery of admissible evidence.

1 Responding Party objects on the grounds that it seeks documents not in existence or not
2 currently in its possession, custody or control.

3 Responding Party objects that the apparent typographical error “all record laYouts”
4 renders this request ambiguous and unintelligible.

5 Subject to and without waiving the general and specific objections stated above,
6 Responding Party responds that it will make reasonable efforts to identify documents responsive
7 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
8 documents.

9 **REQUEST NO. 7 [SIC] REQUEST NO. 12:**

10 All Documents relating to policies, methods, formulas or factors to be used in
11 determining, computing or quoting prices, including any rebates or discounts, in connection with
12 the sale of CRT or CRT Products.

13 **RESPONSE TO REQUEST NO. 7 [SIC] REQUEST NO. 12:**

14 Responding Party reasserts and incorporates each of the General Objections and
15 Objections to Definitions and Instructions set forth above.

16 Responding Party objects to this request on the grounds that it is overly broad, unduly
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
18 including to the extent that it seeks the discovery of documents regarding Responding Party’s
19 sales outside of the United States and unrelated to United States commerce, as such sales are
20 beyond the scope of this litigation and thereby render the Document Requests overly broad,
21 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
22 evidence.

23 Responding Party objects to this request on the grounds that it seeks production of
24 documents protected by the attorney-client privilege, work product doctrine, joint defense or
25 common interest privilege, or by any other applicable doctrine or privilege.

26 Responding Party objects to this request on the grounds it seeks information and/or
27 documents that would disclose confidential information protected by any and all rights of privacy
28 under the United States Constitution or any other applicable law, or that is otherwise prohibited

1 from disclosure because to do so would cause Responding Party to violate legal and/or
2 contractual obligations to any other persons or entities.

3 Responding Party objects to this request on the grounds that, to the extent it seeks
4 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
5 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
7 action, and not reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
12 statute of limitations.

13 Responding Party objects to the extent this request seeks documents that are no longer
14 active or readily accessible in electronic form which renders this request overly broad and unduly
15 burdensome.

16 Responding Party objects to the extent this request seeks documents or information that is
17 not within the possession, custody, or control of Responding Party.

18 Responding Party objects that the phrases “methods, formulas or factors” and
19 “determining, computing or quoting prices” are vague, ambiguous and unintelligible, rendering
20 the request overly broad and unduly burdensome, not relevant and not reasonably calculated to
21 lead to the discovery of admissible evidence.

22 Responding Party objects to this request to the extent it seeks documents or information
23 that will be the subject of expert discovery, as expert discovery has not commenced in this matter.

24 Subject to and without waiving the general and specific objections stated above,
25 Responding Party responds that it will make reasonable efforts to identify documents responsive
26 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
27 documents.

REQUEST NO. 8 [SIC] REQUEST NO. 13:

All Documents relating to any published prices for CRT or CRT Products during the period January 1, 1991 through the present, including price announcements, price lists, price schedules, or price changes communicated to customers in the United States.

RESPONSE TO REQUEST NO. 8 [SIC] REQUEST NO. 13:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad

1 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 2 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 3 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 4 statute of limitations.

5 Responding Party objects to the extent this request seeks documents that are no longer
 6 active or readily accessible in electronic form which renders this request overly broad and unduly
 7 burdensome.

8 Responding Party objects to the extent this request seeks documents or information that is
 9 not within the possession, custody, or control of Responding Party.

10 Responding Party objects that the terms “published prices” and “customers” are vague,
 11 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
 12 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

13 Responding Party objects that the term “customers in the United States” calls for a legal
 14 conclusion.

15 Responding Party objects to the extent this request seeks documents or information that
 16 require discovery of information and materials from third parties or sources that are equally if not
 17 more accessible to Plaintiffs.

18 Responding Party objects to the extent this request seeks documents or information that
 19 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

20 Subject to and without waiving the general and specific objections stated above,
 21 Responding Party responds that it will make reasonable efforts to identify documents responsive
 22 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 23 documents.

24 **REQUEST NO. 9 [SIC] REQUEST NO. 14:**

25 All Documents relating to contracts, offers or proposals for CRT or CRT Products sales
 26 during the period January 1, 1991 through the present.

27 **RESPONSE TO REQUEST NO. 9 [SIC] REQUEST NO. 14:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of
10 documents protected by the attorney-client privilege, work product doctrine, joint defense or
11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or
13 documents that would disclose confidential information protected by any and all rights of privacy
14 under the United States Constitution or any other applicable law, or that is otherwise prohibited
15 from disclosure because to do so would cause Responding Party to violate legal and/or
16 contractual obligations to any other persons or entities.

17 Responding Party objects to this request on the grounds that, to the extent it seeks
18 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
19 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
20 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
21 action, and not reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
23 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
24 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
25 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
26 statute of limitations.

27 Responding Party objects to the extent this request seeks documents that are no longer
28 active or readily accessible in electronic form which renders this request overly broad and unduly

1 burdensome.

2 Responding Party objects to the extent this request seeks documents or information that is
3 not within the possession, custody, or control of Responding Party.

4 Responding Party objects that the phrase “contracts, offers or proposals” is vague,
5 ambiguous and unintelligible, rendering this request overly broad and unduly burdensome, not
6 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects to the extent this request seeks documents or information that
8 require discovery of information and materials from third parties or sources that are equally if not
9 more accessible to Plaintiffs.

10 Responding Party objects to the extent this request seeks documents or information that
11 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

12 Subject to and without waiving the general and specific objections stated above,
13 Responding Party responds that it will make reasonable efforts to identify documents responsive
14 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
15 documents.

16 **REQUEST NO. 10 [SIC] REQUEST NO. 15:**

17 Documents sufficient to identify each of Your facilities that produced CRT or CRT
18 Products from January 1, 1991 through the present, and for each such facility, all Documents
19 relating to:

- 20 a) capacity, rated capacity, production and capacity utilization during each year of the
21 Relevant Time Period;
- 22 b) any proposed or actual change in the capacity to produce CRT or CRT Products;
- 23 c) any reason for changes in each facility's actual production of CRT or CRT
24 Products;
- 25 d) the identity of all persons who had decision-making or supervisory responsibility
26 regarding CRT or CRT Products production;
- 27 e) each type, class, category and respective use of CRT or CRT Products produced
28 and the amounts of each produced during each month of the relevant period;

- 1 f) any production shutdowns or slowdowns of CRT or CRT Products production and
 2 reasons for such shutdowns or slowdowns; and
 3 g) any projected production forecasts;
 4 h) any future plans to construct, joint venture or purchase fabrication plants used to
 5 manufacture or produce CRT or CRT Products.

6 **RESPONSE TO REQUEST NO. 10 [SIC] REQUEST NO. 15:**

7 Responding Party reasserts and incorporates each of the General Objections and
 8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly
 10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 11 including to the extent that it seeks the discovery of documents regarding Responding Party's
 12 sales outside of the United States and unrelated to United States commerce, as such sales are
 13 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 15 evidence.

16 Responding Party objects to this request on the grounds that it seeks production of
 17 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 18 common interest privilege, or by any other applicable doctrine or privilege.

19 Responding Party objects to this request on the grounds it seeks information and/or
 20 documents that would disclose confidential information protected by any and all rights of privacy
 21 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 22 from disclosure because to do so would cause Responding Party to violate legal and/or
 23 contractual obligations to any other persons or entities.

24 Responding Party objects to this request on the grounds that, to the extent it seeks
 25 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
 26 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 27 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 28 action, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 2 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 3 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 4 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 5 statute of limitations.

6 Responding Party objects to the extent this request seeks documents that are no longer
 7 active or readily accessible in electronic form which renders this request overly broad and unduly
 8 burdensome.

9 Responding Party objects to the extent this request seeks documents or information that is
 10 not within the possession, custody, or control of Responding Party.

11 Responding Party objects that the definition of the term “Your” is vague, ambiguous, and
 12 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
 13 reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects that the terms “capacity,” “decision-making or supervisory
 15 responsibility,” and “respective use” are vague, ambiguous and unintelligible, rendering the
 16 request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead
 17 to the discovery of admissible evidence.

18 Responding Party objects to the extent this request is duplicative of Request No. 4 of
 19 Plaintiffs’ First Set of Requests for Production.

20 Subject to and without waiving the general and specific objections stated above,
 21 Responding Party responds that it will make reasonable efforts to identify documents responsive
 22 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 23 documents.

24 **REQUEST NO. 11 [SIC] REQUEST NO. 16:**

25 Documents sufficient to describe the processes for producing CRT or CRT Products,
 26 including but not limited to, any industry standards.

27 **RESPONSE TO REQUEST NO. 11 [SIC] REQUEST NO. 16:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of
10 documents protected by the attorney-client privilege, work product doctrine, joint defense or
11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or
13 documents that would disclose confidential information protected by any and all rights of privacy
14 under the United States Constitution or any other applicable law, or that is otherwise prohibited
15 from disclosure because to do so would cause Responding Party to violate legal and/or
16 contractual obligations to any other persons or entities.

17 Responding Party objects to this request on the grounds that, to the extent it seeks
18 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
19 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
20 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
21 action, and not reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
23 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
24 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
25 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
26 statute of limitations.

27 Responding Party objects to the extent this request seeks documents that are no longer
28 active or readily accessible in electronic form which renders this request overly broad and unduly

1 burdensome.

2 Responding Party objects to the extent this request seeks documents or information that is
3 not within the possession, custody, or control of Responding Party.

4 Responding Party objects that the terms “processes for producing” and “industry
5 standards” are vague, ambiguous, and unintelligible, rendering the request overly broad and
6 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of
7 admissible evidence.

8 Responding Party objects to the extent this request seeks documents or information that
9 require discovery of information and materials from third parties or sources that are equally if not
10 more accessible to Plaintiffs.

11 Responding Party objects to the extent this request seeks documents or information that
12 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

13 Subject to and without waiving the general and specific objections stated above,
14 Responding Party responds that it will make reasonable efforts to identify documents responsive
15 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
16 documents.

17 **REQUEST NO. 12 [SIC] REQUEST NO. 17:**

18 All Documents relating to the cost of manufacturing, marketing, selling, and distributing
19 CRT or CRT Products during the period January 1, 1991 through the present.

20 **RESPONSE TO REQUEST NO. 12 [SIC] REQUEST NO. 17:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Responding Party objects to the extent this request seeks documents or information that

1 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

2 Subject to and without waiving the general and specific objections stated above,
3 Responding Party responds that it will make reasonable efforts to identify documents responsive
4 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
5 documents.

6 **REQUEST NO. 13 [SIC] REQUEST NO. 18:**

7 Documents sufficient to show Your inventory levels of CRT or CRT Products for each
8 month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

9 **RESPONSE TO REQUEST NO. 13 [SIC] REQUEST NO. 18:**

10 Responding Party reasserts and incorporates each of the General Objections and
11 Objections to Definitions and Instructions set forth above.

12 Responding Party objects to this request on the grounds that it is overly broad, unduly
13 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
14 including to the extent that it seeks the discovery of documents regarding Responding Party's
15 sales outside of the United States and unrelated to United States commerce, as such sales are
16 beyond the scope of this litigation and thereby render the Document Requests overly broad,
17 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
18 evidence.

19 Responding Party objects to this request on the grounds that it seeks production of
20 documents protected by the attorney-client privilege, work product doctrine, joint defense or
21 common interest privilege, or by any other applicable doctrine or privilege.

22 Responding Party objects to this request on the grounds it seeks information and/or
23 documents that would disclose confidential information protected by any and all rights of privacy
24 under the United States Constitution or any other applicable law, or that is otherwise prohibited
25 from disclosure because to do so would cause Responding Party to violate legal and/or
26 contractual obligations to any other persons or entities.

27 Responding Party objects to this request on the grounds that, to the extent it seeks
28 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and

1 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 2 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 3 action, and not reasonably calculated to lead to the discovery of admissible evidence.

4 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 5 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 6 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 7 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 8 statute of limitations.

9 Responding Party objects to the extent this request seeks documents that are no longer
 10 active or readily accessible in electronic form which renders this request overly broad and unduly
 11 burdensome.

12 Responding Party objects that the definition of the term “Your” is vague, ambiguous, and
 13 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
 14 reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects that the term “inventory levels” is vague, ambiguous, and
 16 unintelligible, rendering the request overly broad and unduly burdensome, not relevant, and not
 17 reasonably calculated to lead to the discovery of admissible evidence.

18 Subject to and without waiving the general and specific objections stated above,
 19 Responding Party responds that it will make reasonable efforts to identify documents responsive
 20 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 21 documents.

22 **REQUEST NO. 14 [SIC] REQUEST NO. 19:**

23 Documents sufficient to identify and quantify all swaps, trades, sales, purchases or
 24 transfers of CRT or CRT Products between You and any of Your affiliates, or between You and
 25 any other producer of CRT or CRT Products, and the price or any other consideration involved in
 26 every such sale, swap, trade, purchase or transfer.

27 **RESPONSE TO REQUEST NO. 14 [SIC] REQUEST NO. 19:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of
10 documents protected by the attorney-client privilege, work product doctrine, joint defense or
11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or
13 documents that would disclose confidential information, third-party confidential information
14 and/or proprietary business information protected by any and all rights of privacy under the
15 United States Constitution or any other applicable law, or that is otherwise prohibited from
16 disclosure because to do so would cause Responding Party to violate legal and/or contractual
17 obligations to any other persons or entities.

18 Responding Party objects to this request on the grounds that, to the extent it seeks
19 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
20 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
21 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
22 action, and not reasonably calculated to lead to the discovery of admissible evidence.

23 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
24 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
25 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
26 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
27 statute of limitations.

28 Responding Party objects to the extent this request seeks documents that are no longer

1 active or readily accessible in electronic form which renders this request overly broad and unduly
2 burdensome.

3 Responding Party objects that the definition of the terms “You” and “Your” are vague,
4 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
5 relevant, and not reasonably calculated to lead to the discovery of admissible evidence.

6 Responding Party objects that the terms “affiliates,” “swaps,” “trades,” and “transfers” are
7 vague, ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome,
8 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents related to “purchases,” it seeks documents and information not related to the
11 allegations in the Complaint, the request is overly broad and unduly burdensome, and purports to
12 call for information that is not relevant to the claim or defense of any party, not relevant to the
13 subject matter involved in this action, and not reasonably calculated to lead to the discovery of
14 admissible evidence.

15 Subject to and without waiving the general and specific objections stated above,
16 Responding Party responds that it will make reasonable efforts to identify documents responsive
17 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
18 documents.

19 **REQUEST NO. 15 [SIC] REQUEST NO. 20:**

20 All Documents relating to any relationship between prices for CRT or CRT Products and
21 any costs of producing, marketing, selling, or distributing CRT or CRT Products during the
22 period January 1, 1991 through the present.

23 **RESPONSE TO REQUEST NO. 15 [SIC] REQUEST NO. 20:**

24 Responding Party reasserts and incorporates each of the General Objections and
25 Objections to Definitions and Instructions set forth above.

26 Responding Party objects to this request on the grounds that it is overly broad, unduly
27 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
28 including to the extent that it seeks the discovery of documents regarding Responding Party’s

1 sales outside of the United States and unrelated to United States commerce, as such sales are
2 beyond the scope of this litigation and thereby render the Document Requests overly broad,
3 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
4 evidence.

5 Responding Party objects to this request on the grounds that it seeks production of
6 documents protected by the attorney-client privilege, work product doctrine, joint defense or
7 common interest privilege, or by any other applicable doctrine or privilege.

8 Responding Party objects to this request on the grounds it seeks information and/or
9 documents that would disclose confidential information protected by any and all rights of privacy
10 under the United States Constitution or any other applicable law, or that is otherwise prohibited
11 from disclosure because to do so would cause Responding Party to violate legal and/or
12 contractual obligations to any other persons or entities.

13 Responding Party objects to this request on the grounds that, to the extent it seeks
14 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
15 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
16 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
17 action, and not reasonably calculated to lead to the discovery of admissible evidence.

18 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
19 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
20 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
21 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
22 statute of limitations.

23 Responding Party objects to the extent this request seeks documents that are no longer
24 active or readily accessible in electronic form which renders this request overly broad and unduly
25 burdensome.

26 Responding Party objects to the extent this request seeks documents or information that is
27 not within the possession, custody, or control of Responding Party.

28 Responding Party objects that the phrase “relationship between prices” is vague and

1 ambiguous, rendering this request overly broad and unduly burdensome, not relevant and not
2 reasonably calculated to lead to the discovery of admissible evidence.

3 Responding Party objects to the extent this request seeks document relating to “costs of
4 production, marketing, or selling or distributing CRT or CRT Products,” it is duplicative of
5 Request No. 12 of the Document Requests.

6 Responding Party objects to the extent this request seeks documents or information that
7 require discovery of information and materials from third parties or sources that are equally if not
8 more accessible to Plaintiffs.

9 Responding Party objects to the extent this request seeks documents concerning the
10 “prices of CRTs” and “costs of producing” CRTs, this request is duplicative of Document
11 Request Nos. 8 and 12 of the Document Requests.

12 Responding Party objects to the extent this request seeks documents or information that
13 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

14 Subject to and without waiving the general and specific objections stated above,
15 Responding Party responds that it will make reasonable efforts to identify documents responsive
16 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
17 documents.

18 **REQUEST NO. 16 [SIC] REQUEST NO. 21:**

19 All of Your internal and public annual, quarterly and monthly financial statements,
20 summaries or analyses, including profit-and-loss statements and comparisons to budget that relate
21 to CRT or CRT Products.

22 **RESPONSE TO REQUEST NO. 16 [SIC] REQUEST NO. 21:**

23 Responding Party reasserts and incorporates each of the General Objections and
24 Objections to Definitions and Instructions set forth above.

25 Responding Party objects to this request on the grounds that it is overly broad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
27 including to the extent that it seeks the discovery of documents regarding Responding Party’s
28 sales outside of the United States and unrelated to United States commerce, as such sales are

1 beyond the scope of this litigation and thereby render the Document Requests overly broad,
2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
3 evidence.

4 Responding Party objects to this request on the grounds that it seeks production of
5 documents protected by the attorney-client privilege, work product doctrine, joint defense or
6 common interest privilege, or by any other applicable doctrine or privilege.

7 Responding Party objects to this request on the grounds it seeks information and/or
8 documents that would disclose confidential information protected by any and all rights of privacy
9 under the United States Constitution or any other applicable law, or that is otherwise prohibited
10 from disclosure because to do so would cause Responding Party to violate legal and/or
11 contractual obligations to any other persons or entities.

12 Responding Party objects to this request on the grounds that, to the extent it seeks
13 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
14 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
15 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
16 action, and not reasonably calculated to lead to the discovery of admissible evidence.

17 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
18 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
19 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
20 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
21 statute of limitations.

22 Responding Party objects to the extent this request seeks documents or information that is
23 not within the possession, custody, or control of Responding Party.

24 Subject to and without waiving the general and specific objections stated above,
25 Responding Party responds that it will make reasonable efforts to identify documents responsive
26 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
27 documents.

REQUEST NO. 17 [SIC] REQUEST NO. 22:

All business plans, planning analyses, budgets, forecasts, or sales or profit projections relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 17 [SIC] REQUEST NO. 22:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or contractual obligations to any other persons or entities.

Responding Party objects to this request on the grounds that, to the extent it seeks documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous, overly broad and unduly burdensome, and purports to call for information that is not relevant to the claim or defense of any party, not relevant to the subject matter involved in this action, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects on the grounds that the "Relevant Time Period" is overly broad and not relevant, rendering the request not reasonably calculated to lead to the discovery of

admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the statute of limitations.

Responding Party objects to the extent this request seeks documents that are no longer active or readily accessible in electronic form which renders this request overly broad and unduly burdensome.

Responding Party objects to the extent this request seeks documents or information that is not within the possession, custody, or control of Responding Party.

Responding Party objects that the phrase “business plans, planning analyses, budgets, forecasts, or sales or profit projections” is vague and ambiguous, rendering this request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to the extent this request seeks documents or information that require discovery of information and materials from third parties or sources that are equally if not more accessible to Plaintiffs.

Responding Party objects to the extent this request seeks documents or information that will be the subject of expert discovery, as expert discovery has not commenced in this matter.

Subject to and without waiving the general and specific objections stated above, Responding Party responds that it will make reasonable efforts to identify documents responsive to this request within the Limitations Period and, if any, will produce non-privileged, responsive documents.

REQUEST NO. 18 [SIC] REQUEST NO. 23:

Documents sufficient to show the identity of all other producers and sellers of CRT or CRT Products during any portion of the relevant period.

RESPONSE TO REQUEST NO. 18 [SIC] REQUEST NO. 23:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly

1 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
2 including to the extent that it seeks the discovery of documents regarding Responding Party's
3 sales outside of the United States and unrelated to United States commerce, as such sales are
4 beyond the scope of this litigation and thereby render the Document Requests overly broad,
5 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
6 evidence.

7 Responding Party objects to this request on the grounds that it seeks production of
8 documents protected by the attorney-client privilege, work product doctrine, joint defense or
9 common interest privilege, or by any other applicable doctrine or privilege.

10 Responding Party also objects on the grounds it seeks information and/or documents that
11 would disclose confidential information protected by any and all rights of privacy under the
12 United States Constitution or any other applicable law, or that is otherwise prohibited from
13 disclosure because to do so would cause Responding Party to violate legal and/or contractual
14 obligations to any other persons or entities.

15 Responding Party objects on the grounds that, to the extent it requests documents
16 regarding "CRT Products," as distinguished from "CRTs," this request is vague and ambiguous,
17 overly broad and unduly burdensome, and purports to call for information that is not relevant to
18 the claim or defense of any party, not relevant to the subject matter involved in this action, and
19 not reasonably calculated to lead to the discovery of admissible evidence.

20 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
21 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
22 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
23 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
24 statute of limitations.

25 Responding Party objects to the extent this request seeks documents that are no longer
26 active or readily accessible in electronic form which renders this request overly broad and unduly
27 burdensome.

28 Responding Party objects to the extent this request seeks documents or information that is

1 not within the possession, custody, or control of Responding Party.

2 Responding Party objects that by seeking documents and information regarding “all other
3 producers and sellers of CRT or CRT Products,” the request is overly broad and unduly
4 burdensome, not relevant, and not reasonably calculated to lead to the discovery of admissible
5 evidence.

6 Responding Party objects to the extent this request seeks documents or information that
7 require discovery of information and materials from third parties or sources that are equally if not
8 more accessible to Plaintiffs.

9 Responding Party objects to the extent this request seeks documents or information that
10 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

11 Subject to and without waiving the general and specific objections stated above,
12 Responding Party responds that it will make reasonable efforts to identify documents responsive
13 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
14 documents.

15 **REQUEST NO. 19 [SIC] REQUEST NO. 24:**

16 All Documents relating to Your percentage or share of industry production, capacity, sales
17 or shipments of CRT or CRT Products, or the percentage or share of industry production,
18 capacity, sales or shipments of any other producer or seller of CRT or CRT Products at any time
19 during the period January 1, 1991 through the present.

20 **RESPONSE TO REQUEST NO. 19 [SIC] REQUEST NO. 24:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party also objects on the grounds it seeks information and/or documents that
6 would disclose confidential information protected by any and all rights of privacy under the
7 United States Constitution or any other applicable law, or that is otherwise prohibited from
8 disclosure because to do so would cause Responding Party to violate legal and/or contractual
9 obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it requests
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects that the phrase “percentage or share of industry production,
26 capacity, sales or shipments” is vague and ambiguous, rendering this request overly broad and
27 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of
28 admissible evidence.

1 Responding Party objects to the extent this request seeks documents or information that
2 require discovery of information and materials from third parties or sources that are equally if not
3 more accessible to Plaintiffs.

4 Responding Party objects to the extent this request seeks documents or information that
5 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

6 Subject to and without waiving the general and specific objections stated above,
7 Responding Party responds that it will make reasonable efforts to identify documents responsive
8 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
9 documents.

10 **REQUEST NO. 20 [SIC] REQUEST NO. 25:**

11 All Documents showing the dollar volume or quantity of sales or shipments of CRT or
12 CRT Products (by type or category, if available) by You or by other producers or sellers of CRT
13 or CRT Products by month, quarter, calendar year or fiscal year during the period January 1, 1991
14 through the present.

15 **RESPONSE TO REQUEST NO. 20 [SIC] REQUEST NO. 25:**

16 Responding Party reasserts and incorporates each of the General Objections and
17 Objections to Definitions and Instructions set forth above.

18 Responding Party objects to this request on the grounds that it is overly broad, unduly
19 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
20 including to the extent that it seeks the discovery of documents regarding Responding Party's
21 sales outside of the United States and unrelated to United States commerce, as such sales are
22 beyond the scope of this litigation and thereby render the Document Requests overly broad,
23 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
24 evidence.

25 Responding Party objects to this request on the grounds that it seeks production of
26 documents protected by the attorney-client privilege, work product doctrine, joint defense or
27 common interest privilege, or by any other applicable doctrine or privilege.

28 Responding Party objects to this request on the grounds it seeks information and/or

1 documents that would disclose confidential information protected by any and all rights of privacy
2 under the United States Constitution or any other applicable law, or that is otherwise prohibited
3 from disclosure because to do so would cause Responding Party to violate legal and/or
4 contractual obligations to any other persons or entities.

5 Responding Party objects to this request on the grounds that, to the extent it seeks
6 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
7 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
8 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
9 action, and not reasonably calculated to lead to the discovery of admissible evidence.

10 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
11 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
12 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
13 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
14 statute of limitations.

15 Responding Party objects to the extent this request seeks documents that are no longer
16 active or readily accessible in electronic form which renders this request overly broad and unduly
17 burdensome.

18 Responding Party objects to the extent this request seeks documents or information that is
19 not within the possession, custody, or control of Responding Party.

20 Responding Party objects that the phrase “dollar volume” is vague, ambiguous, and
21 unintelligible, rendering the request overly broad and unduly burdensome, not relevant and not
22 reasonably calculated to lead to the discovery of admissible evidence.

23 Responding Party objects to the extent it seeks documents relating to the “quantity of sales
24 or shipments of CRT or CRT Products,” this request is duplicative of Document Request No. 5 of
25 Plaintiffs’ First Set of Requests for Production of Documents, and Request No. 5 of the
26 Document Requests.

27 Responding Party objects to the extent this request seeks documents or information that
28 require discovery of information and materials from third parties or sources that are equally if not

1 more accessible to Plaintiffs.

2 Responding Party objects to the extent this request seeks documents or information that
3 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

4 Subject to and without waiving the general and specific objections stated above,
5 Responding Party responds that it will make reasonable efforts to identify documents responsive
6 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
7 documents.

8 **REQUEST NO. 21 [SIC] REQUEST NO. 26:**

9 All Documents that compare or contrast each type, class, or category of CRT or CRT
10 Products produced or sold by You with that of any other producer or seller of CRT or CRT
11 Products and all Documents that relate to any industry standards regarding types, classes, or
12 categories of CRT or CRT Products.

13 **RESPONSE TO REQUEST NO. 21 [SIC] REQUEST NO. 26:**

14 Responding Party reasserts and incorporates each of the General Objections and
15 Objections to Definitions and Instructions set forth above.

16 Responding Party objects to this request on the grounds that it is overly broad, unduly
17 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
18 including to the extent that it seeks the discovery of documents regarding Responding Party's
19 sales outside of the United States and unrelated to United States commerce, as such sales are
20 beyond the scope of this litigation and thereby render the Document Requests overly broad,
21 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
22 evidence.

23 Responding Party objects to this request on the grounds that it seeks production of
24 documents protected by the attorney-client privilege, work product doctrine, joint defense or
25 common interest privilege, or by any other applicable doctrine or privilege.

26 Responding Party objects to this request on the grounds it seeks information and/or
27 documents that would disclose confidential information protected by any and all rights of privacy
28 under the United States Constitution or any other applicable law, or that is otherwise prohibited

1 from disclosure because to do so would cause Responding Party to violate legal and/or
2 contractual obligations to any other persons or entities.

3 Responding Party objects to this request on the grounds that, to the extent it seeks
4 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
5 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
6 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
7 action, and not reasonably calculated to lead to the discovery of admissible evidence.

8 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
9 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
10 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
11 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
12 statute of limitations.

13 Responding Party objects to the extent this request seeks documents that are no longer
14 active or readily accessible in electronic form which renders this request overly broad and unduly
15 burdensome.

16 Responding Party objects to the extent this request seeks documents or information that is
17 not within the possession, custody, or control of Responding Party.

18 Responding Party objects that the phrases “compare or contrast” and “industry standards”
19 are vague, ambiguous, and unintelligible, rendering this request overly broad and unduly
20 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
21 evidence.

22 Responding Party objects to the extent this request seeks documents or information that
23 require discovery of information and materials from third parties or sources that are equally if not
24 more accessible to Plaintiffs.

25 Responding Party objects to the extent this request is duplicative of Request No. 5 of the
26 Document Requests.

27 Responding Party objects to the extent this request seeks documents or information that
28 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

1 Subject to and without waiving the general and specific objections stated above,
 2 Responding Party responds that it will make reasonable efforts to identify documents responsive
 3 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 4 documents.

5 **REQUEST NO. 22 [SIC] REQUEST NO. 27:**

6 Documents sufficient to show the regions or territories in which each type, class, or
 7 category of CRT or CRT Products are sold in the United States.

8 **RESPONSE TO REQUEST NO. 22 [SIC] REQUEST NO. 27:**

9 Responding Party reasserts and incorporates each of the General Objections and
 10 Objections to Definitions and Instructions set forth above.

11 Responding Party objects to this request on the grounds that it is overly broad, unduly
 12 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 13 including to the extent that it seeks the discovery of documents regarding Responding Party's
 14 sales outside of the United States and unrelated to United States commerce, as such sales are
 15 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 16 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 17 evidence.

18 Responding Party objects to this request on the grounds that it seeks production of
 19 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 20 common interest privilege, or by any other applicable doctrine or privilege.

21 Responding Party objects to this request on the grounds it seeks information and/or
 22 documents that would disclose confidential information protected by any and all rights of privacy
 23 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 24 from disclosure because to do so would cause Responding Party to violate legal and/or
 25 contractual obligations to any other persons or entities.

26 Responding Party objects to this request on the grounds that, to the extent it seeks
 27 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
 28 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not

1 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
2 action, and not reasonably calculated to lead to the discovery of admissible evidence.

3 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
4 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
5 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
6 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
7 statute of limitations.

8 Responding Party objects to the extent this request seeks documents that are no longer
9 active or readily accessible in electronic form which renders this request overly broad and unduly
10 burdensome.

11 Responding Party objects to the extent this request seeks documents or information that is
12 not within the possession, custody, or control of Responding Party.

13 Responding Party objects to the extent this request seeks documents or information that
14 require discovery of information and materials from third parties or sources that are equally if not
15 more accessible to Plaintiffs.

16 Responding Party objects to the extent this request seeks documents or information that
17 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

18 Subject to and without waiving the general and specific objections stated above,
19 Responding Party responds that it will make reasonable efforts to identify documents responsive
20 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
21 documents.

22 **REQUEST NO. 23 [SIC] REQUEST NO. 28:**

23 All Documents relating to conditions of supply or demand for CRT or CRT Products,
24 including, but not limited to, any market studies or industry reports during the period January 1,
25 1991 through the present.

26 **RESPONSE TO REQUEST NO. 23 [SIC] REQUEST NO. 28:**

27 Responding Party reasserts and incorporates each of the General Objections and
28 Objections to Definitions and Instructions set forth above.

1 Responding Party objects to this request on the grounds that it is overly broad, unduly
 2 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 3 including to the extent that it seeks the discovery of documents regarding Responding Party's
 4 sales outside of the United States and unrelated to United States commerce, as such sales are
 5 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 6 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 7 evidence.

8 Responding Party objects to this request on the grounds that it seeks production of
 9 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 10 common interest privilege, or by any other applicable doctrine or privilege.

11 Responding Party objects to this request on the grounds it seeks information and/or
 12 documents that would disclose confidential information protected by any and all rights of privacy
 13 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 14 from disclosure because to do so would cause Responding Party to violate legal and/or
 15 contractual obligations to any other persons or entities.

16 Responding Party objects to this request on the grounds that, to the extent it requests
 17 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
 18 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 19 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 20 action, and not reasonably calculated to lead to the discovery of admissible evidence.

21 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
 22 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 23 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 24 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 25 statute of limitations.

26 Responding Party objects to the extent this request seeks documents that are no longer
 27 active or readily accessible in electronic form which renders this request overly broad and unduly
 28 burdensome.

1 Responding Party objects to the extent this request seeks documents or information that is
2 not within the possession, custody, or control of Responding Party.

3 Responding Party objects that the phrases “relating to conditions of supply and demand”
4 and “market studies or industry reports” are vague, ambiguous, and unintelligible, rendering this
5 request overly broad and unduly burdensome, not relevant and not reasonably calculated to lead
6 to the discovery of admissible evidence.

7 Responding Party objects to the extent this request seeks documents or information that
8 require discovery of information and materials from third parties or sources that are equally if not
9 more accessible to Plaintiffs.

10 Responding Party objects to the extent this request seeks documents or information that
11 will be the subject of expert discovery, as expert discovery has not commenced in this matter.

12 Subject to and without waiving the general and specific objections stated above,
13 Responding Party responds that it will make reasonable efforts to identify documents responsive
14 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
15 documents.

16 **REQUEST NO. 24 [SIC] REQUEST NO. 29:**

17 All Documents relating to any contemplated, proposed, planned, pending or executed
18 purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any
19 other change in ownership of any assets, liabilities, subsidiaries, departments, units or other
20 subdivisions of Your or another company relating to production, distribution, marketing, pricing,
21 sale or resale of CRT or CRT Products during the Relevant Time Period.

22 **RESPONSE TO REQUEST NO. 24 [SIC] REQUEST NO. 29:**

23 Responding Party reasserts and incorporates each of the General Objections and
24 Objections to Definitions and Instructions set forth above.

25 Responding Party objects to this request on the grounds that it is overly broad, unduly
26 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
27 including to the extent that it seeks the discovery of documents regarding Responding Party’s
28 sales outside of the United States and unrelated to United States commerce, as such sales are

1 beyond the scope of this litigation and thereby render the Document Requests overly broad,
2 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
3 evidence.

4 Responding Party objects to this request on the grounds that it seeks production of
5 documents protected by the attorney-client privilege, work product doctrine, joint defense or
6 common interest privilege, or by any other applicable doctrine or privilege.

7 Responding Party objects to this request on the grounds it seeks information and/or
8 documents that would disclose confidential information protected by any and all rights of privacy
9 under the United States Constitution or any other applicable law, or that is otherwise prohibited
10 from disclosure because to do so would cause Responding Party to violate legal and/or
11 contractual obligations to any other persons or entities.

12 Responding Party objects to this request on the grounds that, to the extent it seeks
13 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
14 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
15 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
16 action, and not reasonably calculated to lead to the discovery of admissible evidence.

17 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
18 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
19 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
20 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
21 statute of limitations.

22 Responding Party objects to the extent this request seeks documents that are no longer
23 active or readily accessible in electronic form which renders this request overly broad and unduly
24 burdensome.

25 Responding Party objects to the extent this request seeks documents or information that is
26 not within the possession, custody, or control of Responding Party.

27 Responding Party objects that the definition of the term “Your” renders the request vague,
28 ambiguous, and unintelligible, overly broad and unduly burdensome, not relevant, and not

1 reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects that the terms “contemplated,” “proposed,” “planned,”
3 “pending,” “executed” and “another company” are vague, ambiguous, and unintelligible,
4 rendering this request overly broad and unduly burdensome, not relevant and not reasonably
5 calculated to lead to the discovery of admissible evidence.

6 Responding Party objects to the extent this request seeks documents or information that
7 require discovery of information and materials from third parties or sources that are equally if not
8 more accessible to Plaintiffs.

9 Responding Party objects to the extent this request seeks documents and information that
10 would require disclosure of Responding Party’s or a third-party’s respective trade secrets or other
11 confidential information protected by the Uniform Trade Secrets Act, *et. seq.*, any and all rights
12 of privacy under the United States Constitution, or Article One of the California State
13 Constitution or other state constitutions, or any other applicable law, or which is otherwise
14 prohibited from disclosure because to do so would cause Responding Party to violate legal or
15 contractual obligations to any other persons or entities.

16 Responding Party objects that this request is overly broad and unduly burdensome, and
17 the burden it places on Responding Party far outweighs any likely benefit to Plaintiffs under Rule
18 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

19 Subject to and without waiving the general and specific objections stated above,
20 Responding Party responds that it will make reasonable efforts to identify documents responsive
21 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
22 documents.

23 **REQUEST NO. 25 [SIC] REQUEST NO. 30:**

24 All Documents relating to any communications between You and any parent, subsidiary,
25 affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or
26 distribution of CRT or CRT Products.

27 **RESPONSE TO REQUEST NO. 25 [SIC] REQUEST NO. 30:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks production of
10 documents protected by the attorney-client privilege, work product doctrine, joint defense or
11 common interest privilege, or by any other applicable doctrine or privilege.

12 Responding Party objects to this request on the grounds it seeks information and/or
13 documents that would disclose confidential information protected by any and all rights of privacy
14 under the United States Constitution or any other applicable law, or that is otherwise prohibited
15 from disclosure because to do so would cause Responding Party to violate legal and/or
16 contractual obligations to any other persons or entities.

17 Responding Party objects to this request on the grounds that, to the extent it seeks
18 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
19 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
20 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
21 action, and not reasonably calculated to lead to the discovery of admissible evidence.

22 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
23 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
24 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
25 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
26 statute of limitations.

27 Responding Party objects to the extent this request seeks documents that are no longer
28 active or readily accessible in electronic form which renders this request overly broad and unduly

1 burdensome.

2 Responding Party objects to the extent this request seeks documents or information that is
3 not within the possession, custody, or control of Responding Party.

4 Responding Party objects that the phrase “affiliated company” is vague, ambiguous, and
5 unintelligible, rendering this request overly broad and unduly burdensome, not relevant and not
6 reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects to the extent this request seeks documents or information that
8 require discovery of information and materials from third parties or sources that are equally if not
9 more accessible to Plaintiffs.

10 Responding Party objects that this request is overly broad and unduly burdensome, and
11 the burden it places on Responding Party far outweighs any likely benefit to Plaintiffs under Rule
12 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure.

13 Subject to and without waiving the general and specific objections stated above,
14 Responding Party responds that it will make reasonable efforts to identify documents responsive
15 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
16 documents.

17 **REQUEST NO. 26 [SIC] REQUEST NO. 31:**

18 All Documents relating to communications regarding CRT or CRT Products between or
19 among manufacturers of CRT or CRT Products, including Defendants.

20 **RESPONSE TO REQUEST NO. 26 [SIC] REQUEST NO. 31:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party’s
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Responding Party objects that the phrase “relating to” is vague, ambiguous and

1 unintelligible, and renders the request unlimited in scope, overly broad and unduly burdensome,
2 not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

3 Subject to and without waiving the general and specific objections stated above,
4 Responding Party responds that it will make reasonable efforts to identify documents responsive
5 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
6 documents.

7 **REQUEST NO. 27 [SIC] REQUEST NO. 32:**

8 All Documents relating to any Meeting attended by You or any other Defendant or any
9 manufacturer of CRT or CRT Products during which there was any communication concerning
10 the production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products,
11 including, but not limited to the notes of any such Meetings.

12 **RESPONSE TO REQUEST NO. 27 [SIC] REQUEST NO. 32:**

13 Responding Party reasserts and incorporates each of the General Objections and
14 Objections to Definitions and Instructions set forth above.

15 Responding Party objects to this request on the grounds that it is overly broad, unduly
16 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
17 including to the extent that it seeks the discovery of documents regarding Responding Party's
18 sales outside of the United States and unrelated to United States commerce, as such sales are
19 beyond the scope of this litigation and thereby render the Document Requests overly broad,
20 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
21 evidence.

22 Responding Party objects to this request on the grounds that it seeks production of
23 documents protected by the attorney-client privilege, work product doctrine, joint defense or
24 common interest privilege, or by any other applicable doctrine or privilege.

25 Responding Party objects to this request on the grounds it seeks information and/or
26 documents that would disclose confidential information protected by any and all rights of privacy
27 under the United States Constitution or any other applicable law, or that is otherwise prohibited
28 from disclosure because to do so would cause Responding Party to violate legal and/or

1 contractual obligations to any other persons or entities.

2 Responding Party objects to this request on the grounds that, to the extent it seeks
3 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
4 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
5 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
6 action, and not reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
8 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
9 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
10 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
11 statute of limitations.

12 Responding Party objects to the extent this request seeks documents that are no longer
13 active or readily accessible in electronic form which renders this request overly broad and unduly
14 burdensome.

15 Responding Party objects to the extent this request seeks documents or information that is
16 not within the possession, custody, or control of Responding Party.

17 Responding Party objects to the extent this request seeks documents or information that
18 require discovery of information and materials from third parties or sources that are equally if not
19 more accessible to Plaintiffs.

20 Subject to and without waiving the general and specific objections stated above,
21 Responding Party responds that it will make reasonable efforts to identify documents responsive
22 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
23 documents.

24 **REQUEST NO. 28 [SIC] REQUEST NO. 33:**

25 For each of Your Employees who has or had any non-clerical responsibility for
26 recommending, reviewing, setting or approving prices, price increase announcements, bids or
27 quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of
28 CRT or CRT Products:

- a. all copies of electronic and manual diaries, calendars, appointment books, "to do" lists, day timers or appointment notes;
- b. all copies of trip and travel logs, records or other supporting Documents;
- c. all copies of expense reports or other supporting Documents;
- d. all copies of telephone number logs, directories, notebooks, Rolodex cards or related memoranda;
- e. all bills, statements, records and supporting Documents concerning long distance or cellular telephone calls;
- f. all Documents relating to membership in any trade association or industry group; and
- g. the complete personnel file for that Employee.

RESPONSE TO REQUEST NO. 28 [SIC] REQUEST NO. 33:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy under the United States Constitution or any other applicable law, or that is otherwise prohibited from disclosure because to do so would cause Responding Party to violate legal and/or

1 contractual obligations to any other persons or entities.

2 Responding Party objects to this request on the grounds that, to the extent it seeks
3 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
4 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
5 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
6 action, and not reasonably calculated to lead to the discovery of admissible evidence.

7 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
8 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
9 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
10 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
11 statute of limitations.

12 Responding Party objects to the extent this request seeks documents that are no longer
13 active or readily accessible in electronic form which renders this request overly broad and unduly
14 burdensome.

15 Responding Party objects that the phrase “non-clerical responsibility” is vague,
16 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
17 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

18 Responding Party objects to the extent this request seeks documents or information that
19 require discovery of information and materials from third parties or sources that are equally if not
20 more accessible to Plaintiffs.

21 Subject to and without waiving the general and specific objections stated above,
22 Responding Party responds that it will make reasonable efforts to identify documents responsive
23 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
24 documents.

25 **REQUEST NO. 29 [SIC] REQUEST NO. 34:**

26 Documents sufficient to show the name and address of each trade association (including
27 committees and subcommittees) relating to CRT or CRT Products of which You or any of Your
28 Employees are or have been a member, as well as Documents sufficient to show dates of

1 membership and dates of participation in committees or subcommittees.

2 **RESPONSE TO REQUEST NO. 29 [SIC] REQUEST NO. 34:**

3 Responding Party reasserts and incorporates each of the General Objections and
4 Objections to Definitions and Instructions set forth above.

5 Responding Party objects to this request on the grounds that it is overly broad, unduly
6 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
7 including to the extent that it seeks the discovery of documents regarding Responding Party's
8 sales outside of the United States and unrelated to United States commerce, as such sales are
9 beyond the scope of this litigation and thereby render the Document Requests overly broad,
10 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
11 evidence.

12 Responding Party objects to this request on the grounds that it seeks production of
13 documents protected by the attorney-client privilege, work product doctrine, joint defense or
14 common interest privilege, or by any other applicable doctrine or privilege.

15 Responding Party objects to this request on the grounds it seeks information and/or
16 documents that would disclose confidential information protected by any and all rights of privacy
17 under the United States Constitution or any other applicable law, or that is otherwise prohibited
18 from disclosure because to do so would cause Responding Party to violate legal and/or
19 contractual obligations to any other persons or entities.

20 Responding Party objects to this request on the grounds that, to the extent it seeks
21 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
22 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
23 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
24 action, and not reasonably calculated to lead to the discovery of admissible evidence.

25 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
26 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
27 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
28 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the

1 statute of limitations.

2 Responding Party objects to the extent this request seeks documents that are no longer
3 active or readily accessible in electronic form which renders this request overly broad and unduly
4 burdensome.

5 Responding Party objects to the extent this request seeks documents or information that is
6 not within the possession, custody, or control of Responding Party.

7 Responding Party objects to the extent this request seeks documents or information that
8 require discovery of information and materials from third parties or sources that are equally if not
9 more accessible to Plaintiffs.

10 Subject to and without waiving the general and specific objections stated above,
11 Responding Party responds that it will make reasonable efforts to identify documents responsive
12 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
13 documents.

14 **REQUEST NO. 30 [SIC] REQUEST NO. 35:**

15 All Documents relating to Meetings of each trade association and each of its committees
16 or subcommittees relating to CRT or CRT Products, including all Documents relating to any such
17 Meeting attended by You and any other CRT or CRT Products manufacturer and Documents
18 sufficient to identify individuals from Your company who attended, the dates of attendance, and
19 the subject matters discussed.

20 **RESPONSE TO REQUEST NO. 30 [SIC] REQUEST NO. 35:**

21 Responding Party reasserts and incorporates each of the General Objections and
22 Objections to Definitions and Instructions set forth above.

23 Responding Party objects to this request on the grounds that it is overly broad, unduly
24 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
25 including to the extent that it seeks the discovery of documents regarding Responding Party's
26 sales outside of the United States and unrelated to United States commerce, as such sales are
27 beyond the scope of this litigation and thereby render the Document Requests overly broad,
28 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

1 evidence.

2 Responding Party objects to this request on the grounds that it seeks production of
3 documents protected by the attorney-client privilege, work product doctrine, joint defense or
4 common interest privilege, or by any other applicable doctrine or privilege.

5 Responding Party objects to this request on the grounds it seeks information and/or
6 documents that would disclose confidential information protected by any and all rights of privacy
7 under the United States Constitution or any other applicable law, or that is otherwise prohibited
8 from disclosure because to do so would cause Responding Party to violate legal and/or
9 contractual obligations to any other persons or entities.

10 Responding Party objects to this request on the grounds that, to the extent it seeks
11 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
12 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
13 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
14 action, and not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
16 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
17 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
18 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
19 statute of limitations.

20 Responding Party objects to the extent this request seeks documents that are no longer
21 active or readily accessible in electronic form which renders this request overly broad and unduly
22 burdensome.

23 Responding Party objects to the extent this request seeks documents or information that is
24 not within the possession, custody, or control of Responding Party.

25 Responding Party objects to the extent this request seeks documents or information that
26 require discovery of information and materials from third parties or sources that are equally if not
27 more accessible to Plaintiffs.

28 Subject to and without waiving the general and specific objections stated above,

1 Responding Party responds that it will make reasonable efforts to identify documents responsive
 2 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
 3 documents.

4 **REQUEST NO. 31 [SIC] REQUEST NO. 36:**

5 All studies, analyses, communications, presentations or other Documents that You have
 6 submitted to or received from any trade association regarding CRT or CRT Products.

7 **RESPONSE TO REQUEST NO. 31 [SIC] REQUEST NO. 36:**

8 Responding Party reasserts and incorporates each of the General Objections and
 9 Objections to Definitions and Instructions set forth above.

10 Responding Party objects to this request on the grounds that it is overly broad, unduly
 11 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 12 including to the extent that it seeks the discovery of documents regarding Responding Party's
 13 sales outside of the United States and unrelated to United States commerce, as such sales are
 14 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 15 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 16 evidence.

17 Responding Party objects to this request on the grounds that it seeks production of
 18 documents protected by the attorney-client privilege, work product doctrine, joint defense or
 19 common interest privilege, or by any other applicable doctrine or privilege.

20 Responding Party objects to this request on the grounds it seeks information and/or
 21 documents that would disclose confidential information protected by any and all rights of privacy
 22 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 23 from disclosure because to do so would cause Responding Party to violate legal and/or
 24 contractual obligations to any other persons or entities.

25 Responding Party objects to this request on the grounds that, to the extent it seeks
 26 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
 27 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 28 relevant to the claim or defense of any party, not relevant to the subject matter involved in this

1 action, and not reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
3 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
4 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
5 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
6 statute of limitations.

7 Responding Party objects to the extent this request seeks documents that are no longer
8 active or readily accessible in electronic form which renders this request overly broad and unduly
9 burdensome.

10 Responding Party objects to the extent this request seeks documents or information that is
11 not within the possession, custody, or control of Responding Party.

12 Responding Party objects that the terms “studies” and “analyses” are vague, ambiguous,
13 and unintelligible, rendering this request overly broad and unduly burdensome, not relevant and
14 not reasonably calculated to lead to the discovery of admissible evidence.

15 Responding Party objects to the extent this request seeks documents or information that
16 require discovery of information and materials from third parties or sources that are equally if not
17 more accessible to Plaintiffs.

18 Subject to and without waiving the general and specific objections stated above,
19 Responding Party responds that it will make reasonable efforts to identify documents responsive
20 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
21 documents.

22 **REQUEST NO. 32 [SIC] REQUEST NO. 37:**

23 All statements, announcements, disclosures or press releases issued by You or any of
24 Your competitors relating to CRT or CRT Products.

25 **RESPONSE TO REQUEST NO. 32 [SIC] REQUEST NO. 37:**

26 Responding Party reasserts and incorporates each of the General Objections and
27 Objections to Definitions and Instructions set forth above.

28 Responding Party objects to this request on the grounds that it is overly broad, unduly

1 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
2 including to the extent that it seeks the discovery of documents regarding Responding Party's
3 sales outside of the United States and unrelated to United States commerce, as such sales are
4 beyond the scope of this litigation and thereby render the Document Requests overly broad,
5 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
6 evidence.

7 Responding Party objects to this request on the grounds that it seeks production of
8 documents protected by the attorney-client privilege, work product doctrine, joint defense or
9 common interest privilege, or by any other applicable doctrine or privilege.

10 Responding Party objects to this request on the grounds it seeks information and/or
11 documents that would disclose confidential information protected by any and all rights of privacy
12 under the United States Constitution or any other applicable law, or that is otherwise prohibited
13 from disclosure because to do so would cause Responding Party to violate legal and/or
14 contractual obligations to any other persons or entities.

15 Responding Party objects to this request on the grounds that, to the extent it seeks
16 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
17 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
18 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
19 action, and not reasonably calculated to lead to the discovery of admissible evidence.

20 Responding Party objects on the grounds that the "Relevant Time Period" is overly broad
21 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
22 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
23 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
24 statute of limitations.

25 Responding Party objects that the definition of the terms "You" and "Your" are vague,
26 ambiguous, and unintelligible, rendering the request overly broad and unduly burdensome, not
27 relevant, and not reasonably calculated to lead to the discovery of admissible evidence.

28 Responding Party objects to the extent this request seeks documents that are no longer

1 active or readily accessible in electronic form which renders this request overly broad and unduly
2 burdensome.

3 Responding Party objects to the extent this request seeks documents or information that is
4 not within the possession, custody, or control of Responding Party. Responding Party objects to
5 the extent this request seeks documents or information that require discovery of information and
6 materials from third parties or sources that are equally if not more accessible to Plaintiffs.

7 Subject to and without waiving the general and specific objections stated above,
8 Responding Party responds that it will make reasonable efforts to identify documents responsive
9 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
10 documents.

11 **REQUEST NO. 33 [SIC] REQUEST NO. 38:**

12 All Documents relating to Your policies or practices directed toward compliance with the
13 United States antitrust laws, including any statements signed by Your Employees with pricing,
14 sales or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and
15 compliance with Your antitrust compliance policy.

16 **RESPONSE TO REQUEST NO. 33 [SIC] REQUEST NO. 38:**

17 Responding Party reasserts and incorporates each of the General Objections and
18 Objections to Definitions and Instructions set forth above.

19 Responding Party objects to this request on the grounds that it is overly broad, unduly
20 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
21 including to the extent that it seeks the discovery of documents regarding Responding Party's
22 sales outside of the United States and unrelated to United States commerce, as such sales are
23 beyond the scope of this litigation and thereby render the Document Requests overly broad,
24 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
25 evidence.

26 Responding Party objects to this request on the grounds that it seeks production of
27 documents protected by the attorney-client privilege, work product doctrine, joint defense or
28 common interest privilege, or by any other applicable doctrine or privilege.

1 Responding Party objects to this request on the grounds it seeks information and/or
2 documents that would disclose confidential information protected by any and all rights of privacy
3 under the United States Constitution or any other applicable law, or that is otherwise prohibited
4 from disclosure because to do so would cause Responding Party to violate legal and/or
5 contractual obligations to any other persons or entities.

6 Responding Party objects to this request on the grounds that, to the extent it seeks
7 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
8 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
9 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
10 action, and not reasonably calculated to lead to the discovery of admissible evidence.

11 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
12 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
13 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
14 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
15 statute of limitations.

16 Responding Party objects to the extent this request seeks documents that are no longer
17 active or readily accessible in electronic form which renders this request overly broad and unduly
18 burdensome.

19 Responding Party objects to the extent this request seeks documents or information that is
20 not within the possession, custody, or control of Responding Party.

21 Responding Party objects that the phrase “directed toward compliance” is vague,
22 ambiguous, and unintelligible, rendering this request overly broad and unduly burdensome, not
23 relevant and not reasonably calculated to lead to the discovery of admissible evidence.

24 Subject to and without waiving the general and specific objections stated above,
25 Responding Party responds that it will make reasonable efforts to identify documents responsive
26 to this request within the Limitations Period and, if any, will produce non-privileged, responsive
27 documents.

REQUEST NO. 34 [SIC] REQUEST NO. 39:

All Documents relating to, prepared for, submitted to, or received from any foreign governmental or legislative investigative body, including the Canadian Competition Bureau, the European Commission, any agency or representative body of any foreign country, state or other political subdivision, or any law enforcement agency, authority or commission in any foreign country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT Products. This request includes all Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced to any foreign governmental agency or foreign grand jury, including any Documents produced as part of any plea bargain negotiations or in connection with any application for or grant of amnesty.

RESPONSE TO REQUEST NO. 34 [SIC] REQUEST NO. 39:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks information in excess of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no discovery shall be conducted in this case (including, without limitation, document requests, interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury proceedings concerning CRTs or CRT products, including any party's or witness's communications with the United States, or with any grand jury investigating CRTs or CRT products, except by the order of the Court upon good cause shown and consistent with governing law." Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects to this request on the grounds that discovery of documents and
23 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
24 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
25 lead to the discovery of admissible evidence.

26 Subject to and without waiving the objections stated above, Responding Party declines to
27 produce documents that may be responsive to this request.

REQUEST NO. 35 [SIC] REQUEST NO. 40:

All Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced or were seized by any foreign governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary, Thailand, Malaysia, Korea, Japan, Singapore, China or Taiwan.

RESPONSE TO REQUEST NO. 35 [SIC] REQUEST NO. 40:

Responding Party reasserts and incorporates each of the General Objections and Objections to Definitions and Instructions set forth above.

Responding Party objects to this request on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence including to the extent that it seeks the discovery of documents regarding Responding Party's sales outside of the United States and unrelated to United States commerce, as such sales are beyond the scope of this litigation and thereby render the Document Requests overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Responding Party objects to this request on the grounds that it seeks information in excess of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no discovery shall be conducted in this case (including, without limitation, document requests, interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury proceedings concerning CRTs or CRT products, including any party's or witness's communications with the United States, or with any grand jury investigating CRTs or CRT products, except by the order of the Court upon good cause shown and consistent with governing law." Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

Responding Party objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege, work product doctrine, joint defense or common interest privilege, or by any other applicable doctrine or privilege.

Responding Party objects to this request on the grounds it seeks information and/or documents that would disclose confidential information protected by any and all rights of privacy

1 under the United States Constitution or any other applicable law, or that is otherwise prohibited
 2 from disclosure because to do so would cause Responding Party to violate legal and/or
 3 contractual obligations to any other persons or entities.

4 Responding Party objects to this request on the grounds that, to the extent it seeks
 5 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
 6 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
 7 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
 8 action, and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 13 statute of limitations.

14 Responding Party objects to the extent this request seeks documents that are no longer
 15 active or readily accessible in electronic form which renders this request overly broad and unduly
 16 burdensome.

17 Responding Party objects to this request on the grounds that discovery of documents and
 18 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
 19 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
 20 lead to the discovery of admissible evidence.

21 Subject to and without waiving the objections stated above, Responding Party declines to
 22 produce documents that may be responsive to this request.

23 **REQUEST NO. 36 [SIC] REQUEST NO. 41:**

24 Copies of all subpoenas or requests for production of Documents issued by any foreign
 25 governmental or legislative investigative body referring or relating to CRT or CRT Products
 26 during the relevant period.

27 **RESPONSE TO REQUEST NO. 36 [SIC] REQUEST NO. 41:**

28 Responding Party reasserts and incorporates each of the General Objections and

1 Objections to Definitions and Instructions set forth above.

2 Responding Party objects to this request on the grounds that it is overly broad, unduly
3 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 including to the extent that it seeks the discovery of documents regarding Responding Party's
5 sales outside of the United States and unrelated to United States commerce, as such sales are
6 beyond the scope of this litigation and thereby render the Document Requests overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence.

9 Responding Party objects to this request on the grounds that it seeks information in excess
10 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that "no
11 discovery shall be conducted in this case (including, without limitation, document requests,
12 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
13 proceedings concerning CRTs or CRT products, including any party's or witness's
14 communications with the United States, or with any grand jury investigating CRTs or CRT
15 products, except by the order of the Court upon good cause shown and consistent with governing
16 law." Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

17 Responding Party objects to this request on the grounds that it seeks production of
18 documents protected by the attorney-client privilege, work product doctrine, joint defense or
19 common interest privilege, or by any other applicable doctrine or privilege.

20 Responding Party objects to this request on the grounds it seeks information and/or
21 documents that would disclose confidential information protected by any and all rights of privacy
22 under the United States Constitution or any other applicable law, or that is otherwise prohibited
23 from disclosure because to do so would cause Responding Party to violate legal and/or
24 contractual obligations to any other persons or entities.

25 Responding Party objects to this request on the grounds that, to the extent it seeks
26 documents regarding "CRT Products," as distinguished from "CRTs," this request is vague and
27 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
28 relevant to the claim or defense of any party, not relevant to the subject matter involved in this

1 action, and not reasonably calculated to lead to the discovery of admissible evidence.

2 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
3 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
4 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
5 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
6 statute of limitations.

7 Responding Party objects to the extent this request seeks documents that are no longer
8 active or readily accessible in electronic form which renders this request overly broad and unduly
9 burdensome.

10 Responding Party objects to this request on the grounds that discovery of documents and
11 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
12 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
13 lead to the discovery of admissible evidence.

14 Subject to and without waiving the objections stated above, Responding Party declines to
15 produce documents that may be responsive to this request.

16 **REQUEST NO. 37 [SIC] REQUEST NO. 42:**

17 All Documents relating to, prepared for, submitted to, or received by You as a result of
18 any investigation or research conducted either internally or by an outside entity with respect to
19 price fixing, price manipulation or manipulation of production or capacity of CRT or CRT
20 Products.

21 **RESPONSE TO REQUEST NO. 37 [SIC] REQUEST NO. 42:**

22 Responding Party reasserts and incorporates each of the General Objections and
23 Objections to Definitions and Instructions set forth above.

24 Responding Party objects to this request on the grounds that it is overly broad, unduly
25 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
26 including to the extent that it seeks the discovery of documents regarding Responding Party’s
27 sales outside of the United States and unrelated to United States commerce, as such sales are
28 beyond the scope of this litigation and thereby render the Document Requests overly broad,

1 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
2 evidence.

3 Responding Party objects to this request on the grounds that it seeks information in excess
4 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that “no
5 discovery shall be conducted in this case (including, without limitation, document requests,
6 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
7 proceedings concerning CRTs or CRT products, including any party’s or witness’s
8 communications with the United States, or with any grand jury investigating CRTs or CRT
9 products, except by the order of the Court upon good cause shown and consistent with governing
10 law.” Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

11 Responding Party objects to this request on the grounds that it seeks production of
12 documents protected by the attorney-client privilege, work product doctrine, joint defense or
13 common interest privilege, or by any other applicable doctrine or privilege.

14 Responding Party objects to this request on the grounds it seeks information and/or
15 documents that would disclose confidential information protected by any and all rights of privacy
16 under the United States Constitution or any other applicable law, or that is otherwise prohibited
17 from disclosure because to do so would cause Responding Party to violate legal and/or
18 contractual obligations to any other persons or entities.

19 Responding Party objects to this request on the grounds that, to the extent it seeks
20 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
21 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
22 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
23 action, and not reasonably calculated to lead to the discovery of admissible evidence.

24 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
25 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
26 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
27 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
28 statute of limitations.

1 Responding Party objects to the extent this request seeks documents that are no longer
2 active or readily accessible in electronic form which renders this request overly broad and unduly
3 burdensome.

4 Responding Party objects to this request on the grounds that discovery of documents and
5 information related to foreign antitrust laws are not relevant to the allegations in the Complaint,
6 thus rendering this request overly broad, unduly burdensome, and not reasonably calculated to
7 lead to the discovery of admissible evidence.

8 Subject to and without waiving the objections stated above, Responding Party declines to
9 produce documents that may be responsive to this request.

10 **REQUEST NO. 38 [SIC] REQUEST NO. 43:**

11 All Documents relating to the termination, retirement, discipline, discharge or suspension
12 of any director, officer, or Employee who had any responsibility relating to the production,
13 manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

14 **RESPONSE TO REQUEST NO. 38 [SIC] REQUEST NO. 43:**

15 Responding Party reasserts and incorporates each of the General Objections and
16 Objections to Definitions and Instructions set forth above.

17 Responding Party objects to this request on the grounds that it is overly broad, unduly
18 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
19 including to the extent that it seeks the discovery of documents regarding Responding Party's
20 sales outside of the United States and unrelated to United States commerce, as such sales are
21 beyond the scope of this litigation and thereby render the Document Requests overly broad,
22 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
23 evidence.

24 Responding Party objects to this request on the grounds that it seeks production of
25 documents protected by the attorney-client privilege, work product doctrine, joint defense or
26 common interest privilege, or by any other applicable doctrine or privilege.

27 Responding Party objects to this request on the grounds it seeks information and/or
28 documents that would disclose confidential information protected by any and all rights of privacy

1 under the United States Constitution or any other applicable law, or that is otherwise prohibited
2 from disclosure because to do so would cause Responding Party to violate legal and/or
3 contractual obligations to any other persons or entities.

4 Responding Party objects to this request on the grounds that, to the extent it seeks
5 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
6 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
7 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
8 action, and not reasonably calculated to lead to the discovery of admissible evidence.

9 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
10 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
11 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
12 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
13 statute of limitations.

14 Responding Party objects to the extent this request seeks documents that are no longer
15 active or readily accessible in electronic form which renders this request overly broad and unduly
16 burdensome.

17 Responding Party objects on the grounds that, to the extent this request seeks documents
18 not related to the allegations in the Complaint, this request is overly broad and unduly
19 burdensome, and purports to call for information that is not relevant to the claim or defense of
20 any party, not relevant to the subject matter involved in this action, and not reasonably calculated
21 to lead to the discovery of admissible evidence.

22 Responding Party objects to this request on the grounds that it seeks information in excess
23 of the limited scope of discovery permitted by the Stay Order, as the Stay Order states that “no
24 discovery shall be conducted in this case (including, without limitation, document requests,
25 interrogatories, requests to admit, or depositions) that reflects, refers to, or relates to grand jury
26 proceedings concerning CRTs or CRT products, including any party’s or witness’s
27 communications with the United States, or with any grand jury investigating CRTs or CRT
28 products, except by the order of the Court upon good cause shown and consistent with governing

1 law.” Stipulation and Order to Extend Limited Discovery Stay, ¶ 3 (January 5, 2010).

2 Subject to and without waiving the objections stated above, Responding Party declines to
3 produce documents that may be responsive to this request.

4 **REQUEST NO. 39 [SIC] REQUEST NO. 44:**

5 All Documents referring to or relating to plaintiffs in this litigation.

6 **RESPONSE TO REQUEST NO. 39 [SIC] REQUEST NO. 44:**

7 Responding Party reasserts and incorporates each of the General Objections and
8 Objections to Definitions and Instructions set forth above.

9 Responding Party objects to this request on the grounds that it is overly broad, unduly
10 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
11 including to the extent that it seeks the discovery of documents regarding Responding Party’s
12 sales outside of the United States and unrelated to United States commerce, as such sales are
13 beyond the scope of this litigation and thereby render the Document Requests overly broad,
14 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
15 evidence.

16 Responding Party objects to this request on the grounds that it seeks production of
17 documents protected by the attorney-client privilege, work product doctrine, joint defense or
18 common interest privilege, or by any other applicable doctrine or privilege.

19 Responding Party objects to this request on the grounds it seeks information and/or
20 documents that would disclose confidential information protected by any and all rights of privacy
21 under the United States Constitution or any other applicable law, or that is otherwise prohibited
22 from disclosure because to do so would cause Responding Party to violate legal and/or
23 contractual obligations to any other persons or entities.

24 Responding Party objects to this request on the grounds that, to the extent it seeks
25 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
26 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
27 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
28 action, and not reasonably calculated to lead to the discovery of admissible evidence.

1 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
 2 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
 3 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
 4 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
 5 statute of limitations.

6 Responding Party objects to the extent this request seeks documents or information that is
 7 not within the possession, custody, or control of Responding Party.

8 Responding Party objects to the extent this request seeks documents or information that
 9 require discovery of information and materials from third parties or sources that are equally if not
 10 more accessible to Plaintiffs.

11 Subject to and without waiving the objections stated above, Responding Party declines to
 12 produce documents that may be responsive to this request.

13 **REQUEST NO. 40 [SIC] REQUEST NO. 45:**

14 All Documents that You claim would have been available to the plaintiffs or any
 15 purchaser of CRT or CRT Products prior to November 2007, which should have caused the
 16 plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise,
 17 maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the
 18 United States.

19 **RESPONSE TO REQUEST NO. 40 [SIC] REQUEST NO. 45:**

20 Responding Party reasserts and incorporates each of the General Objections and
 21 Objections to Definitions and Instructions set forth above.

22 Responding Party objects to this request on the grounds that it is overly broad, unduly
 23 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
 24 including to the extent that it seeks the discovery of documents regarding Responding Party’s
 25 sales outside of the United States and unrelated to United States commerce, as such sales are
 26 beyond the scope of this litigation and thereby render the Document Requests overly broad,
 27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
 28 evidence.

1 Responding Party objects to this request on the grounds that it seeks production of
2 documents protected by the attorney-client privilege, work product doctrine, joint defense or
3 common interest privilege, or by any other applicable doctrine or privilege.

4 Responding Party objects to this request on the grounds it seeks information and/or
5 documents that would disclose confidential information protected by any and all rights of privacy
6 under the United States Constitution or any other applicable law, or that is otherwise prohibited
7 from disclosure because to do so would cause Responding Party to violate legal and/or
8 contractual obligations to any other persons or entities.

9 Responding Party objects to this request on the grounds that, to the extent it seeks
10 documents regarding “CRT Products,” as distinguished from “CRTs,” this request is vague and
11 ambiguous, overly broad and unduly burdensome, and purports to call for information that is not
12 relevant to the claim or defense of any party, not relevant to the subject matter involved in this
13 action, and not reasonably calculated to lead to the discovery of admissible evidence.

14 Responding Party objects on the grounds that the “Relevant Time Period” is overly broad
15 and not relevant, rendering the request not reasonably calculated to lead to the discovery of
16 admissible evidence as the Complaint does not allege a continuing conspiracy, the end of the
17 class period is November 25, 2007, and claims prior to November 26, 2003, are barred by the
18 statute of limitations.

19 Responding Party objects to the extent this request seeks documents that are no longer
20 active or readily accessible in electronic form which renders this request overly broad and unduly
21 burdensome.

22 Responding Party objects to the extent this request seeks documents or information that is
23 not within the possession, custody, or control of Responding Party.

24 Responding Party objects to the extent this request seeks documents or information that
25 require discovery of information and materials from third parties or sources that are equally if not
26 more accessible to Plaintiffs.

27 Responding Party objects to this request as inappropriately propounded as a document
28 request, as it seeks information more easily obtainable through other means and/or as to which

1 Plaintiffs bear the burden of proof.

2 Responding Party objects to the extent this request is argumentative and assumes facts not
3 in evidence.

4 Subject to and without waiving the objections stated above, Responding Party declines to
5 produce documents that may be responsive to this request.

6 Dated: May 12, 2010

MORGAN, LEWIS & BOCKIUS LLP

7
8
9 By



Diane L. Webb
Attorneys for Defendant
HITACHI, LTD.

May 14, 2010

File No. #: 3-396-0001

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**In Re CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

No.: M-07-5944 SC
MDL NO. 1917

This Document Relates to:

Judge: Hon. Samuel Conti
Special Master: Hon. Charles A. Legge
(Ret.)

DIRECT PURCHASER ACTION

**OBJECTIONS AND RESPONSES OF
DEFENDANT MT PICTURE DISPLAY
CO., LTD. TO DIRECT PURCHASER
PLAINTIFFS' SECOND SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS**

1 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant MT Picture
2 Display Co., Ltd. ("MTPD") hereby makes the following objections and responses to the Direct
3 Purchaser Plaintiffs' ("Plaintiffs") Second Set of Requests for Production of Documents, dated
4 March 12, 2010 (the "Second Requests").

5
6 **GENERAL OBJECTIONS**

7 Each and every one of the following general objections is incorporated into the specific
8 responses below as if set forth in full therein:

9 1. MTPD objects to the Second Requests to the extent they seek information or seek
10 to impose burdens and requirements upon MTPD that exceed or differ from the requirements of
11 the Federal Rules of Civil Procedure.

12 2. MTPD objects to the Second Requests to the extent they seek information not
13 relevant to the issues raised in this lawsuit and not reasonably calculated to lead to the discovery
14 of admissible evidence.

15 3. MTPD objects to the Second Requests to the extent that they are overly broad and
16 unduly burdensome.

17 4. MTPD objects to the Second Requests to the extent that they are needlessly
18 duplicative.

19 5. MTPD objects to the Second Requests to the extent that they are vague,
20 ambiguous or susceptible to more than one interpretation.

21 6. MTPD objects to the Second Requests to the extent they seek information or
22 documents that reflect, refer to, or relate to the ongoing criminal grand jury investigation
23 concerning CRTs in contravention of the Court's Order to Extend Limited Discovery Stay, dated
24 January 30, 2010.

25 7. MTPD objects to the Second Requests to the extent that they seek any information
26 or any document that is subject to attorney-client privilege, work product protection, joint defense
27 or common interest privilege, or any other applicable doctrine, privilege, protection or immunity
28

1 from production. The inadvertent or mistaken provision of any documents subject to any such
2 doctrine, privilege, protection or immunity from production shall not constitute a general,
3 inadvertent, implicit, subject-matter, separate, independent or other waiver of such doctrine,
4 privilege, protection or immunity from production, and does not put in issue or constitute
5 affirmative use of the advice of counsel defense or of any privileged communications.

6 8. MTPD objects to the Second Requests to the extent they seek documents that are
7 publicly available, already in Plaintiffs' possession or more readily available from other sources.

8 9. MTPD objects to the Second Requests on the ground that they require MTPD to
9 produce documents that are not in its possession, custody or control. MTPD also objects to the
10 extent that any request seeks information from a non-party, such as, but not limited to, any of
11 MTPD's parent subsidiary, affiliate or sibling corporations or companies.

12 10. MTPD objects to the Second Requests on the ground that they seek information or
13 documents about CRTs and CRT products involved in transactions outside the United States,
14 which is unduly burdensome and irrelevant to this pending action as Plaintiffs' proposed class
15 definition in their Consolidated Amended Complaint is confined to "all persons . . . who directly
16 purchased a Cathode Ray Tube Product . . . in the United States." See Cplt ¶ 1.

17 11. MTPD objects to the Second Requests to the extent that the laws or procedures of
18 a foreign country prohibit the production of documents responsive to such requests.

19 12. MTPD objects to the Second Requests to the extent they seek the production of
20 documents that have been provided already to Plaintiffs.

21 13. MTPD reserves the right to assert additional general and specific objections to the
22 production of information or documents as appropriate and to supplement these objections and
23 responses. MTPD also reserves the right to assert additional general and specific objections
24 arising from matters discovered during the course of this litigation.

25 14. By responding to the Second Requests and/or stating that it is providing
26 responsive, non-privileged documents in its possession, custody or control, MTPD does not make
27 any representation as to whether documents responsive to any of the categories set forth below
28

1 exist or are in its possession, custody or control. No objection or limitation, or lack thereof, made
2 in the responses and objections herein shall be deemed an admission by MTPD as to the existence
3 or nonexistence of documents or information.

4 15. MTPD's decision, now or in the future, to provide information or documents
5 notwithstanding the objectionable nature of the Second Requests should not be construed as: (a) a
6 stipulation that the material is relevant or admissible, (b) a waiver of MTPD's general objections
7 or the objections asserted in response to specific document requests, or (c) an agreement that
8 requests for similar information will be treated in a similar manner.

9 16. MTPD objects to the definition of the term "Defendant" as vague and
10 incomprehensible to the extent it purports to include unidentified companies, organizations,
11 entities and persons who may be named as a defendant in this litigation at some unspecified date
12 in the future.

13 17. MTPD objects to the definition of the term "Document" to the extent it seeks to
14 impose requirements that are inconsistent with or beyond those imposed by the Federal Rules of
15 Civil Procedure or any other applicable laws or rules.

16 18. MTPD objects to the definition of the term "Electronic data" as overly broad,
17 unduly burdensome, and seeking information that is not likely to lead to the discovery of
18 admissible evidence. MTPD further objects to this definition to the extent it seeks to impose
19 requirements that are inconsistent with or beyond those imposed by the Federal Rules of Civil
20 Procedure or any other applicable laws or rules.

21 19. MTPD objects to the definition of "CRT products" on the grounds that it is vague,
22 ambiguous, and subject to overbreadth. Moreover, any discovery as to "CRT products" that is
23 not reasonably related to Plaintiffs' claims with respect to an alleged conspiracy involving
24 CRTs is premature and overly burdensome until such time as Plaintiffs establish a reasonable
25 basis for their claims regarding "CRT products" to justify the enormous burden that Plaintiffs
26 seek to impose on MTPD by pursuing discovery as to all such products (the "Products
27 Objection").
28

1 20. MTPD objects to the definitions of “You,” “Your,” and “Your company” as overly
2 broad. When coupled with other definitions and the requests themselves, this definition requests
3 information that is irrelevant and not reasonably calculated to lead to the discovery of admissible
4 evidence. For example, MTPD objects because the definition, on its face, seeks to require MTPD
5 to provide documents and information not within its possession, custody or control. Further,
6 MTPD objects to the inclusion of “agents and all other persons acting or purporting to act on
7 behalf of it” within this definition to the extent it purports to encompass information that is
8 protected by attorney-client privilege, work product protection or any other applicable doctrine,
9 privilege, protection or immunity from production.

10 21. MTPD objects to the definition of the “relevant time period” in Instruction No. 1
11 as overbroad and unduly burdensome prior to the time that the statute of limitations issues are
12 resolved in this case. Judge Conti has directed the parties to Judge Legge to develop procedures
13 for the early resolution of statute of limitations issues and to reduce the burden in connection
14 therewith. MTPD believes it is premature for it to have to produce any documents from prior to
15 the statute of limitations period until Judge Legge considers this issue and determines the proper
16 scope of that burden (the “Relevant Time Period Objection”).

17 22. MTPD objects to Instruction No. 6 on the ground that producing documents “in
18 such fashion as to identify the department, branch or office in whose possession they were located
19 and . . . the natural person in whose possession they were found and the business address of each
20 document(s) custodian(s)” is not required under the Federal Rules of Civil Procedure. MTPD
21 further objects to this instruction as inappropriate for this type of discovery request as it is in the
22 nature of an interrogatory.

23 23. MTPD objects to Instruction Nos. 8 and 9 on the ground that it is impossible to
24 identify, describe, and further explain the circumstances regarding every document that ever
25 “once existed and subsequently has been lost, destroyed, or is otherwise missing.” To the extent
26 that it is even possible to identify, describe, and explain the circumstances regarding such
27

1 documents, this investigation would impose a unique, time-consuming and unreasonable burden
2 upon MTPD.

3 24. MTPD objects to Instruction No. 10 on the ground that it requires more
4 information than is necessary or required for a privilege log, and is beyond the scope of Rule
5 26(b)(5) of the Federal Rules of Civil Procedure. For example, stating the general subject matter
6 of a privileged communication is sufficient for the purposes of a privilege log.
7

8 **RESPONSES TO THE SECOND REQUESTS**

9 **REQUEST NO. 1**

10 Documents sufficient to show Your corporate structure or organization throughout the
11 relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint
12 ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in
13 the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States,
14 including, where applicable, the percentage of any stock or other interests owned by each entity in
15 the chain.
16

17 **RESPONSE TO REQUEST NO. 1:**

18 In addition to its General Objections, which are incorporated here by reference, including
19 the Products Objection, MTPD objects to Request No. 1 on the grounds that it is overly broad,
20 unduly burdensome and seeks documents that are not reasonably calculated to lead to the
21 discovery of admissible evidence. For example, Request No. 1 seeks documents sufficient to
22 show departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units that
23 have no relation whatsoever to the manufacture, marketing, sale or distribution of CRTs. MTPD
24 also objects to this request to the extent it seeks the production of documents that have been
25 produced already to Plaintiffs both on November 14, 2008 and March 8, 2010. *See*, for example,
26 the documents bearing bates numbers PAN0000517, MTPD-0020728 and MTPD-0020733.
27
28

1 Subject to the foregoing objections, and to the extent not duplicative of earlier productions,
 2 MTPD will produce non-privileged documents in its possession, custody or control sufficient to
 3 show the corporate structure or organization of MTPD with regard to its departments, divisions,
 4 parents, subsidiaries, joint ventures, affiliates, or other sub-units responsible for the manufacture,
 5 marketing, sale or distribution of CRTs to the United States, subject to the Relevant Time Period
 6 Objection, if any.
 7

8 **REQUEST NO. 2**

9 As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents,
 10 affiliates and joint ventures, Documents sufficient to identify each executive or Employee with
 11 managerial authority who had responsibilities or duties with respect to each of the following:

- 12 (a) the manufacturing or production of CRT or CRT Products;
- 13 (b) the marketing of CRT or CRT Products;
- 14 (c) the pricing of CRT or CRT Products;
- 15 (d) the sale or distribution of CRT or CRT Products;
- 16 (e) maintaining any electronic database(s), including archives, of e-mail or
 17 other electronic Documents relating to CRT or CRT Products.
 18

19 **RESPONSE TO REQUEST NO. 2:**

20 In addition to its General Objections, which are incorporated here by reference, including
 21 the Products Objection, MTPD objects to Request No. 2 on the grounds that it is overly broad,
 22 unduly burdensome and seeks documents that are not reasonably calculated to lead to the
 23 discovery of admissible evidence. For example, Request No. 2 seeks information regarding “each
 24 Employee with managerial authority” having “responsibilities or duties” with respect to various
 25 broadly described activities. MTPD also objects to this request to the extent it seeks the
 26 production of documents that have been produced already to Plaintiffs both on November 14,
 27
 28

1 2008 and March 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000517,
2 MTPD-0020728 and MTPD-0020733. Subject to the foregoing objections, and to the extent not
3 duplicative of earlier productions, MTPD will produce non-privileged documents in its
4 possession, custody or control sufficient to identify executives or Employees with managerial
5 authority, as to each of the departments, divisions, parents, subsidiaries, joint ventures, affiliates,
6 or other sub-units of MTPD responsible for the manufacture, marketing, pricing, sale or
7 distribution of CRTs to the United States that were directly involved in the activities listed in
8 subparts (a) through (e) of Request No. 2, subject to the Relevant Time Period Objection, if any.

9
10 **REQUEST NO. 3**

11 Documents sufficient to describe Your policies or practices with respect to the retention or
12 destruction of Documents during the period January 1, 1991 through the present, and, if such
13 policy or practice has been different with respect to any category of Documents or over different
14 times, Documents sufficient to identify each such category or time period and to describe Your
15 retention policy or practice with respect to each such category or time period.

16
17 **RESPONSE TO REQUEST NO. 3:**

18 In addition to its General Objections, which are incorporated here by reference, MTPD
19 will produce non-privileged documents in its possession, custody or control sufficient to describe
20 the document retention policies of MTPD's departments, divisions, or affiliates responsible for
21 the manufacture, marketing, pricing, sale or distribution of CRTs to the United States, subject to
22 the Relevant Time Period Objection, if any.

23
24 **REQUEST NO. 4**

25 Documents sufficient to show the manner in which You have maintained records relating
26 to CRT or CRT Products during the period January 1, 1991 through the present, including
27 Documents sufficient to describe all electronic data processing systems, programs and outputs
28

1 used to record, store, compute, analyze or retrieve electronically stored information relating to
2 Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United
3 States.

4 **RESPONSE TO REQUEST NO. 4:**

5 In addition to its General Objections, which are incorporated here by reference, including
6 the Products Objection, MTPD objects to Request No. 4 as vague, ambiguous, overbroad, and
7 unduly burdensome as it seeks, without specificity or particularity, “all electronic data processing
8 systems.” Subject to the foregoing objections, MTPD will produce non-privileged documents in
9 its possession, custody or control sufficient to show the manner in which MTPD maintained
10 records concerning the pricing, production, distribution, marketing or sale of CRTs to the United
11 States, subject to the Relevant Time Period Objection, if any.
12

13 **REQUEST NO. 5**

14 All Documents and electronic data relating to Your sales of CRT or CRT Products during
15 the period January 1, 1991 through the present, including, but not limited to:
16

- 17 a) customer names, customer billing addresses, and customer ship-to addresses;
18 b) sales terms;
19 c) sales dates and shipment dates;
20 d) product type, class, category, description, and respective use;
21 e) sales volumes;
22 f) unit price information, gross price, and actual net prices;
23 g) discounts, credits, and rebates;
24 h) shipping charges and terms;
25 i) any other related charges; and
26 j) amounts paid, dates paid, invoice numbers, and purchase order numbers.
27
28

1 If such data are not kept, or have not been kept, in electronic form in the ordinary course of Your
2 business or are otherwise not available in electronic form, please produce such data in hard copy.

3 **RESPONSE TO REQUEST NO. 5:**

4 In addition to its General Objections, which are incorporated here by reference, including
5 the Products Objection, MTPD objects to Request No. 5 as overly broad, unduly burdensome and
6 as seeking documents that are not reasonably calculated to lead to the discovery of admissible
7 evidence to the extent that it calls for foreign (i.e. non-United States) sales of CRTs, made by
8 foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures,
9 affiliates, or other sub-units of MTPD. MTPD also objects to this request to the extent it seeks
10 the production of documents that have been produced already to Plaintiffs both on November 14,
11 2008 and March 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000011-
12 516 and MTPD-0021208. Subject to the foregoing objections, and to the extent not duplicative of
13 earlier productions, MTPD will produce additional non-privileged documents in its possession,
14 custody or control sufficient to show the requested information as to sales of CRTs to the United
15 States, subject to the Relevant Time Period Objection, if any.

16 **REQUEST NO. 6**

17 All software instructions, programs, manuals, or other Documents necessary to operate,
18 run or understand any of the programs maintained on the computer-related equipment or system
19 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,
20 including all record layouts [sic], field codes or other descriptions.

21 **RESPONSE TO REQUEST NO. 6:**

22 In addition to its General Objections, which are incorporated here by reference, MTPD
23 objects to this request as overbroad, unduly burdensome and seeking information that is neither
24 relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to the
25

1 foregoing objections, MTPD is willing to meet and confer with Plaintiffs about what they are
2 seeking and whether any of the information sought by Request No. 6 is fully relevant to this
3 action.

4 **REQUEST NO. 7**

5 All Documents relating to policies, methods, formulas or factors to be used in
6 determining, computing or quoting prices, including any rebates or discounts, in connection with
7 the sale of CRT or CRT Products.
8

9 **RESPONSE TO REQUEST NO. 7:**

10 In addition to its General Objections, which are incorporated here by reference, including
11 the Products Objection, MTPD objects to Request No. 7 as calling for some information that is
12 more easily sought by other means of discovery, such as by deposition. MTPD further objects to
13 this request as unduly burdensome and as seeking documents that are not reasonably calculated to
14 lead to the discovery of admissible evidence to the extent that it calls for foreign (i.e. non-United
15 States) pricing policies of CRTs, made by foreign (i.e. non-United States) departments, divisions,
16 parents, subsidiaries, joint ventures, affiliates, or other sub-units of MTPD. MTPD also objects to
17 this request on the grounds that it is vague and ambiguous in its use of the term “relating to” as
18 this term renders the request unlimited in scope in that it does not describe with reasonable
19 particularity the category of documents to be produced. Subject to the foregoing objections,
20 MTPD will produce non-privileged electronic documents in its possession, custody or control
21 sufficient to show MTPD’s pricing policies for CRTs sold in the United States, subject to the
22 Relevant Time Period Objection, if any.
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REQUEST NO. 8

All Documents relating to any published prices for CRT or CRT Products during the period January 1, 1991 through the present, including price announcements, price lists, price schedules, or price changes communicated to customers in the United States.

RESPONSE TO REQUEST NO. 8:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 8 on the grounds that it is vague and ambiguous in its use of the term “relating to” as this term renders the request unlimited in scope in that it does not describe with reasonable particularity the category of documents to be produced. Moreover, MTPD objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs on March 8, 2010. *See*, for example, the document bearing bates number MTPD-0003949. Subject to the foregoing objections, and to the extent not duplicative of earlier productions, MTPD will produce non-privileged electronic documents in its possession, custody or control sufficient to show MTPD’s published prices for CRTs sold in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 9

All Documents relating to contracts, offers or proposals for CRT or CRT Products sales during the period January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 9:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 9 on the grounds that it is vague and ambiguous in its use of the term “relating to” as this term renders the request unlimited in scope in that it does not describe with reasonable particularity the category of documents to be produced. MTPD also objects to the terms “offers” and “proposals” as vague and unduly

1 burdensome. Subject to the foregoing objections, MTPD will produce non-privileged documents
 2 in its possession, custody or control sufficient to show MTPD's contracts for CRTs sold in the
 3 United States, subject to the Relevant Time Period Objection, if any.

4 **REQUEST NO. 10**

5 Documents sufficient to identify each of Your facilities that produced CRT or CRT
 6 Products from January 1, 1991 through the present, and for each such facility, all Documents
 7 relating to:

- 8
- 9 a) capacity, rated capacity, production and capacity utilization during each year of the
 10 Relevant Time Period;
 - 11 b) any proposed or actual change in the capacity to produce CRT or CRT Products;
 - 12 c) any reason for changes in each facility's actual production of CRT or CRT
 13 Products;
 - 14 d) the identity of all persons who had decision-making or supervisory responsibility
 15 regarding CRT or CRT Products production;
 - 16 e) each type, class, category and respective use of CRT or CRT Products produced
 17 and the amounts of each produced during each month of the relevant period;
 - 18 f) any production shutdowns or slowdowns of CRT or CRT Products production and
 19 reasons for such shutdowns or slowdowns; and
 - 20 g) any projected production forecasts;
 - 21 h) any future plans to construct, joint venture or purchase fabrication plants used to
 22 manufacture or produce CRT or CRT Products.

23 **RESPONSE TO REQUEST NO. 10:**

24 In addition to its General Objections, which are incorporated here by reference, including
 25 the Products Objection, MTPD objects to Request No. 10 as unduly burdensome and overbroad to
 26

1 the extent it requests “any proposed” change in the capacity to produce CRT or CRT Products
2 and “any reason” for the change in each facility’s production of CRT or CRT Products. MTPD
3 also objects to this request to the extent it seeks documents relating to changes in production or
4 the reasons for the changes in production as unduly burdensome and not reasonably calculated to
5 lead to the discovery of admissible evidence. MTPD further objects to this request as unduly
6 burdensome and as seeking documents that are not reasonably calculated to lead to the discovery
7 of admissible evidence to the extent that it calls for documents relating to foreign facilities (i.e.
8 non-United States) that produce CRTs. Moreover, MTPD objects to this request to the extent it
9 seeks the production of documents that have been produced already to Plaintiffs both on
10 November 14, 2008 and March 8, 2010. *See*, for example, the documents bearing bates numbers
11 PAN0000028-29 and MTPD-0013193. Subject to the foregoing objections, and to the extent not
12 duplicative of earlier productions, MTPD will produce non-privileged documents in its
13 possession, custody or control sufficient to show, for each of MTPD’s CRT production facilities
14 in the United States, the capacity, rated capacity, production, capacity utilization, actual changes
15 in capacity, any reasons for such changes, types of CRTs produced, and the openings and closings
16 of plants or production lines, subject to the Relevant Time Period Objection, if any.

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18
19 **REQUEST NO. 11**

20 Documents sufficient to describe the processes for producing CRT or CRT Products,
21 including but not limited to, any industry standards.

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23 **RESPONSE TO REQUEST NO. 11:**

24 In addition to its General Objections, which are incorporated here by reference, including
25 the Products Objection, MTPD objects to this request insofar as it seeks documents that describe
26 the “processes for producing CRT or CRT Products,” as the phrase is vague and poorly defined.
27 MTPD further objects to this request as calling for information concerning “processes for
28

1 producing CRT or CRT Products” that is more easily sought by other means of discovery, such as
2 by deposition. Subject to the foregoing objections, MTPD will produce non-privileged
3 documents in its possession, custody or control sufficient to show any industry standards for
4 producing CRTs, subject to the Relevant Time Period Objection, if any.
5

6 **REQUEST NO. 12**

7 All Documents relating to the cost of manufacturing, marketing, selling, and distributing
8 CRT or CRT Products during the period January 1, 1991 through the present.

9 **RESPONSE TO REQUEST NO. 12:**

10 In addition to its General Objections, which are incorporated here by reference, including
11 the Products Objection, MTPD objects to this request as overbroad to the extent it seeks all
12 documents relating to the cost of “marketing” CRTs. MTPD also objects to Request No. 12 as
13 unduly burdensome and as seeking documents that are not reasonably calculated to lead to the
14 discovery of admissible evidence to the extent that it calls for the costs of manufacturing,
15 marketing, selling, and distributing foreign (i.e. non-United States) CRTs, made by foreign (i.e.
16 non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other
17 sub-units of MTPD. MTPD also objects to this request to the extent it seeks the production of
18 documents that have been produced already to Plaintiffs both on November 14, 2008 and March
19 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000011-27 and MTPD-
20 0021208. Subject to the foregoing objections, and to the extent not duplicative of earlier
21 productions, MTPD will produce non-privileged documents in its possession, custody or control
22 sufficient to show the costs of manufacturing, marketing, selling, and distributing CRTs in the
23 United States, subject to the Relevant Time Period Objection, if any.
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REQUEST NO. 13

Documents sufficient to show Your inventory levels of CRT or CRT Products for each month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

RESPONSE TO REQUEST NO. 13:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 13 on the grounds that it is overly broad and unduly burdensome as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for the inventory levels of foreign (i.e. non-United States) CRTs, made by foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of MTPD. Subject to the foregoing objections, MTPD will produce non-privileged documents in its possession, custody or control sufficient to show inventory levels of CRTs in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 14

Documents sufficient to identify and quantify all swaps, trades, sales, purchases or transfers of CRT or CRT Products between You and any of Your affiliates, or between You and any other producer of CRT or CRT Products, and the price or any other consideration involved in every such sale, swap, trade, purchase or transfer.

RESPONSE TO REQUEST NO. 14:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to this request as vague and ambiguous to the extent it purports to call for documents relating to “swaps” and/or “trades,” the meaning of which is unintelligible in this context. MTPD further objects to Request No. 14 as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible

1 evidence to the extent that it calls for inter-company transfers of CRTs with foreign (i.e. non-
2 United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-
3 units of MTPD. Subject to the foregoing objections, MTPD will produce non-privileged
4 documents in its possession, custody or control sufficient to show intercompany transfers of
5 CRTs between MTPD and its affiliates in the United States, subject to the Relevant Time Period
6 Objection, if any.
7

8 **REQUEST NO. 15**

9 All Documents relating to any relationship between prices for CRT or CRT Products and
10 any costs of producing, marketing, selling, or distributing CRT or CRT Products during the
11 period January 1, 1991 through the present.
12

13 **RESPONSE TO REQUEST NO. 15:**

14 In addition to its General Objections, which are incorporated here by reference, including
15 the Products Objection, MTPD objects to Request No. 15 insofar as it seeks documents that relate
16 to “any relationship” between the prices and costs of manufacturing CRT or CRT Products as the
17 phrase is vague and poorly defined. MTPD also objects to Request No. 15 as unduly burdensome
18 and as seeking documents that are not reasonably calculated to lead to the discovery of admissible
19 evidence to the extent that it calls for foreign (i.e. non-United States) prices and sales of CRTs,
20 made by foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint
21 ventures, affiliates, or other sub-units of MTPD. Subject to the foregoing objections, MTPD
22 refers Plaintiffs to its response to Request No. 8 concerning the prices of CRTs and to its response
23 to Request No. 12 concerning the costs of manufacturing CRTs.
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REQUEST NO. 16

All of Your internal and public annual, quarterly and monthly financial statements, summaries or analyses, including profit-and-loss statements and comparisons to budget that relate to CRT or CRT Products.

RESPONSE TO REQUEST NO. 16:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 16 to the extent it calls for the production of documents that are publicly available. MTPD further objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs both on November 14, 2008 and March 8, 2010. *See*, for example, the documents bearing bates numbers PAN0000001-27. Subject to the foregoing objections, and to the extent not duplicative of earlier productions, MTPD will produce non-privileged financial statements in its possession, custody or control relating to CRTs, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 17

All business plans, planning analyses, budgets, forecasts, or sales or profit projections relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 17:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 17 on the grounds that it is overly broad and unduly burdensome as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent that it calls for the business plans of foreign (i.e. non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units of MTPD. MTPD also objects to this request to the extent it seeks the production of documents that have been produced already to Plaintiffs both on November 14, 2008 and March

1 8, 2010. *See*, for example, the documents bearing bates numbers MTPD-0006847-55 and MTPD-
2 0006960-68. Subject to the foregoing objections, and to the extent not duplicative of earlier
3 productions, MTPD will produce non-privileged documents in its possession, custody or control
4 relating to CRT business plans in the United States, subject to the Relevant Time Period
5 Objection, if any.

6
7 **REQUEST NO. 18**

8 Documents sufficient to show the identity of all other producers and sellers of CRT or
9 CRT Products during any portion of the relevant period.

10 **RESPONSE TO REQUEST NO. 18:**

11 In addition to its General Objections, which are incorporated here by reference, MTPD
12 objects to Request No. 18 as calling for some information that is more easily obtained from
13 markets studies and by other means of discovery, such as by depositions or interrogatories.
14 MTPD further objects to this request to the extent that it seeks information easily accessible by
15 Plaintiffs through other means. Subject to the foregoing objections, MTPD will produce formal
16 market studies in its possession, custody or control sufficient to show the identify of U.S. sellers
17 of CRTs, subject to the Relevant Time Period Objection, if any.

18
19 **REQUEST NO. 19**

20 All Documents relating to Your percentage or share of industry production, capacity, sales
21 or shipments of CRT or CRT Products, or the percentage or share of industry production,
22 capacity, sales or shipments of any other producer or seller of CRT or CRT Products at any time
23 during the period January 1, 1991 through the present.

24
25 **RESPONSE TO REQUEST NO. 19:**

26 In addition to its General Objections, which are incorporated here by reference, MTPD
27 objects to Request No. 19 on the grounds that it is overly broad and unduly burdensome as
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1 seeking documents that are not reasonably calculated to lead to the discovery of admissible
2 evidence to the extent that it calls for the share of industry production of CRTs by foreign (i.e.
3 non-United States) departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other
4 sub-units of MTPD. MTPD also objects to this request to the extent it seeks the production of
5 documents that have been produced already to Plaintiffs on March 8, 2010. *See*, for example, the
6 documents bearing bates numbers MTPD-0004296-4310. Subject to the foregoing objections,
7 and to the extent not duplicative of earlier productions, MTPD will produce any formal studies in
8 its possession, custody or control relating to its share of industry production, capacity and sales of
9 CRTs and CRT Products to the United States, subject to the Relevant Time Period Objection, if
10 any.
11

12 **REQUEST NO. 20**

13 All Documents showing the dollar volume or quantity of sales or shipments of CRT or
14 CRT Products (by type or category, if available) by You or by other producers or sellers of CRT
15 or CRT Products by month, quarter, calendar year or fiscal year during the period January 1, 1991
16 through the present.
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18 **RESPONSE TO REQUEST NO. 20:**

19 In addition to its General Objections, which are incorporated here by reference, MTPD
20 objects to Request No. 20 to the extent it calls for the production of documents in the possession
21 of third parties not under MTPD's control. MTPD further objects to this request to the extent it is
22 duplicative of Request No. 5, and specifically incorporates by reference its response to Request
23 No. 5 as if such response were fully set forth herein.
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25 **REQUEST NO. 21**

26 All Documents that compare or contrast each type, class, or category of CRT or CRT
27 Products produced or sold by You with that of any other producer or seller of CRT or CRT
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1 Products and all Documents that relate to any industry standards regarding types, classes, or
2 categories of CRT or CRT Products.

3 **RESPONSE TO REQUEST NO. 21:**

4 In addition to its General Objections, which are incorporated here by reference, including
5 the Products Objection, MTPD objects to Request No. 21 as overbroad and unduly burdensome in
6 its use of the word “all” as it seeks information that is not reasonably calculated to lead to the
7 discovery of admissible evidence. MTPD further objects to this request as not relevant to any
8 claims in this action to the extent it seeks “any industry standards regarding types, classes, or
9 categories of CRT or CRT Products.” MTPD also objects to this request as unduly burdensome
10 and as seeking documents that are not reasonably calculated to lead to the discovery of admissible
11 evidence to the extent that it calls for documents that compare or contrast each type, class, or
12 category of CRTs made by foreign (i.e. non-United States) departments, divisions, parents,
13 subsidiaries, joint ventures, affiliates, or other sub-units of MTPD. Subject to the foregoing
14 objections, MTPD will produce published materials in its possession, custody or control
15 documents that compare or contrast CRT types, classes, or categories produced or sold by MTPD
16 in the United States with that of other U.S. sellers of CRTs, subject to the Relevant Time Period
17 Objection, if any.

18 **REQUEST NO. 22**

19 Documents sufficient to show the regions or territories in which each type, class, or
20 category of CRT or CRT Products are sold in the United States.

21 **RESPONSE TO REQUEST NO. 22:**

22 In addition to its General Objections, which are incorporated here by reference, including
23 the Products Objection, MTPD objects to Request No. 22 to the extent it is duplicative of Request
24 No. 5, and specifically incorporates by reference its response to Request No. 5 as if such response
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1 were fully set forth herein. Subject to the foregoing objections, MTPD will produce non-
2 privileged documents in its possession, custody or control relating to the regions in which it sold
3 CRTs in the United States, subject to the Relevant Time Period Objection, if any.

4 **REQUEST NO. 23**

5 All Documents relating to conditions of supply or demand for CRT or CRT Products,
6 including, but not limited to, any market studies or industry reports during the period January 1,
7 1991 through the present.

8 **RESPONSE TO REQUEST NO. 23:**

9 In addition to its General Objections, which are incorporated here by reference, MTPD
10 will produce pre-existing formal market studies or industry reports in its possession, custody or
11 control relating to conditions of supply or demand for CRTs in the United States, subject to the
12 Relevant Time Period Objection, if any.

13 **REQUEST NO. 24**

14 All Documents relating to any contemplated, proposed, planned, pending or executed
15 purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any
16 other change in ownership of any assets, liabilities, subsidiaries, departments, units or other
17 subdivisions of Your or another company relating to production, distribution, marketing, pricing,
18 sale or resale of CRT or CRT Products during the Relevant Time Period.

19 **RESPONSE TO REQUEST NO. 24:**

20 In addition to its General Objections, which are incorporated here by reference, MTPD
21 objects to Request No. 24 as overly broad and seeking information that is neither relevant nor
22 reasonably calculated to lead to the discovery of admissible evidence. MTPD further objects that
23 requiring MTPD to produce the documents requested in Request No. 24 would impose an undue
24 burden, which would far outweigh its likely benefit under Rule 26(b)(2)(C)(iii) of the Federal
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1 Rules of Civil Procedure. Notwithstanding these objections, MTPD will produce the MTPD Joint
2 Venture Agreement and any associated closing documents.

3 **REQUEST NO. 25**

4 All Documents relating to any communications between You and any parent, subsidiary,
5 affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or
6 distribution of CRT or CRT Products.
7

8 **RESPONSE TO REQUEST NO. 25:**

9 In addition to its General Objections, which are incorporated here by reference, MTPD
10 objects to Request No. 25 as overly broad and seeking information that is neither relevant nor
11 reasonably calculated to lead to the discovery of admissible evidence. MTPD further objects that
12 requiring MTPD to produce the documents requested in Request No. 25 would impose an undue
13 burden, which would far outweigh its likely benefit under Rule 26(b)(2)(C)(iii) of the Federal
14 Rules of Civil Procedure.
15

16 **REQUEST NO. 26**

17 All Documents relating to communications regarding CRT or CRT Products between or
18 among manufacturers of CRT or CRT Products, including Defendants.

19 **RESPONSE TO REQUEST NO. 26:**

20 In addition to its General Objections, which are incorporated here by reference, including
21 the Products Objection, MTPD objects to Request No. 26 to the extent it seeks “all”
22 communications regarding CRT or CRT Products between MTPD and other manufacturers of
23 CRT or CRT Products. MTPD also objects to this request as overly broad and on the grounds
24 that it is vague and ambiguous in its use of the term “relating to” as this term renders the request
25 unlimited in scope in that it does not describe with reasonable particularity the category of
26 documents to be produced. Subject to the foregoing objections, MTPD will produce non-
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1 privileged documents in its possession, custody or control documents relating to communications
2 between MTPD and other manufacturers of CRTs regarding the sales and/or pricing of CRTs in
3 the United States, subject to the Relevant Time Period Objection, if any.

4 **REQUEST NO. 27**

5 All Documents relating to any Meeting attended by You or any other Defendant or any
6 manufacturer of CRT or CRT Products during which there was any communication concerning
7 the production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products,
8 including, but not limited to the notes of any such Meetings.

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10 **RESPONSE TO REQUEST NO. 27:**

11 In addition to its General Objections, which are incorporated here by reference, including
12 the Products Objection, MTPD objects to Request No. 27 as overly broad and to the extent it calls
13 for the production of documents in the possession of third parties not under MTPD's control.
14 Subject to the foregoing objections, MTPD will produce non-privileged documents in its
15 possession, custody or control documents relating to any meeting attended by MTPD or any other
16 Defendant during which there were communications concerning the production, marketing,
17 pricing, distribution, inventory levels or sale of CRTs in the United States, subject to the Relevant
18 Time Period Objection, if any.

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20 **REQUEST NO. 28**

21 For each of Your Employees who has or had any non-clerical responsibility for
22 recommending, reviewing, setting or approving prices, price increase announcements, bids or
23 quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of
24 CRT or CRT Products:

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26 a. all copies of electronic and manual diaries, calendars, appointment books, "to do"
27 lists, day timers or appointment notes;

- b. all copies of trip and travel logs, records or other supporting Documents;
- c. all copies of expense reports or other supporting Documents;
- d. all copies of telephone number logs, directories, notebooks, Rolodex cards or related memoranda;
- e. all bills, statements, records and supporting Documents concerning long distance or cellular telephone calls;
- f. all Documents relating to membership in any trade association or industry group; and
- g. the complete personnel file for that Employee.

RESPONSE TO REQUEST NO. 28:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 28 as overbroad to the extent it seeks certain documents from MTPD's Employees who had "any non-clerical responsibility for recommending, reviewing, setting or approving prices" for the sale of CRT or CRT Products. Subject to the foregoing objections, MTPD is willing to meet and confer with Plaintiffs to narrow the scope of this request by limiting the number of relevant Employees.

REQUEST NO. 29

Documents sufficient to show the name and address of each trade association (including committees and subcommittees) relating to CRT or CRT Products of which You or any of Your Employees are or have been a member, as well as Documents sufficient to show dates of membership and dates of participation in committees or subcommittees.

RESPONSE TO REQUEST NO. 29:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 29 as unduly burdensome and as seeking

1 documents that are not reasonably calculated to lead to the discovery of admissible evidence to
2 the extent it seeks documents about trade associations located outside the United States. Subject
3 to the foregoing objections, MTPD will produce non-privileged documents in its possession,
4 custody or control sufficient to show the requested information about trade associations relating
5 to CRTs in the United States, subject to the Relevant Time Period Objection, if any.
6

7 **REQUEST NO. 30**

8 All Documents relating to Meetings of each trade association and each of its committees
9 or subcommittees relating to CRT or CRT Products, including all Documents relating to any such
10 Meeting attended by You and any other CRT or CRT Products manufacturer and Documents
11 sufficient to identify individuals from Your company who attended, the dates of attendance, and
12 the subject matters discussed.
13

14 **RESPONSE TO REQUEST NO. 30:**

15 In addition to its General Objections, which are incorporated here by reference, including
16 the Products Objection, MTPD objects to Request No. 30 as unduly burdensome and as seeking
17 documents that are not reasonably calculated to lead to the discovery of admissible evidence to
18 the extent it seeks documents about trade associations located outside the United States. Subject
19 to the foregoing objections, MTPD will produce non-privileged documents in its possession,
20 custody or control sufficient to show information about any meeting of a trade association
21 attended by MTPD in the United States relating to CRTs, subject to the Relevant Time Period
22 Objection, if any.
23

24 **REQUEST NO. 31**

25 All studies, analyses, communications, presentations or other Documents that You have
26 submitted to or received from any trade association regarding CRT or CRT Products.
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RESPONSE TO REQUEST NO. 31:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 31 as unduly burdensome and as seeking documents that are not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks certain documents submitted to or received from trade associations located outside the United States. Subject to the foregoing objections, MTPD will produce non-privileged formal studies, analyses, communications, and presentations in its possession, custody or control regarding CRTs submitted to or received from trade associations in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 32

All statements, announcements, disclosures or press releases issued by You or any of Your competitors relating to CRT or CRT Products.

RESPONSE TO REQUEST NO. 32:

In addition to its General Objections, which are incorporated here by reference, including the Products Objection, MTPD objects to Request No. 32 to the extent it calls for the production of documents that are publicly available and are in the possession of third parties not under MTPD's control. MTPD also objects to this request as overly broad and to the extent it seeks "all" statements, announcements, disclosures or press releases relating to CRT Products. Subject to the foregoing objections, MTPD will produce non-privileged statements, announcements, disclosures or press releases in its possession, custody or control issued by MTPD relating to CRTs in the United States, subject to the Relevant Time Period Objection, if any.

REQUEST NO. 33

All Documents relating to Your policies or practices directed toward compliance with the United States antitrust laws, including any statements signed by Your Employees with pricing,

1 sales or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and
2 compliance with Your antitrust compliance policy.

3 **RESPONSE TO REQUEST NO. 33:**

4 In addition to its General Objections, which are incorporated here by reference, MTPD
5 objects to Request No. 33 on the grounds that it is vague and ambiguous in its use of the term
6 “relating to” as this term renders the request unlimited in scope in that it does not describe with
7 reasonable particularity the category of documents to be produced. Subject to the foregoing
8 objections, MTPD will produce non-privileged documents in its possession, custody or control
9 sufficient to show MTPD’s policy or practice directed toward compliance with United States
10 antitrust laws, subject to the Relevant Time Period Objection, if any.

11 **REQUEST NO. 34**

12 All Documents relating to, prepared for, submitted to, or received from any foreign
13 governmental or legislative investigative body, including the Canadian Competition Bureau, the
14 European Commission, any agency or representative body of any foreign country, state or other
15 political subdivision, or any law enforcement agency, authority or commission in any foreign
16 country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT
17 Products. This request includes all Documents relating to proffers, transcripts, notes, summaries,
18 testimony, witness statements, or responses to requests for information that You produced to any
19 foreign governmental agency or foreign grand jury, including any Documents produced as part of
20 any plea bargain negotiations or in connection with any application for or grant of amnesty.

21 **RESPONSE TO REQUEST NO. 34:**

22 In addition to its General Objections, which are incorporated here by reference, including
23 the Products Objection, MTPD objects to Request No. 34 to the extent that the laws or procedures
24 of a foreign country prohibit the production of documents responsive to such requests. MTPD
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1 also objects to this request as unduly burdensome and as seeking documents that are not
2 reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks certain
3 documents submitted and received from foreign governmental and legislative investigative bodies
4 relating to the foreign (i.e. non-United States) production, sale, marketing, pricing or distribution
5 of CRTs.
6

7 **REQUEST NO. 35**

8 All Documents relating to proffers, transcripts, notes, summaries, testimony, witness
9 statements, or responses to requests for information that You produced or were seized by any
10 foreign governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary,
11 Thailand, Malaysia, Korea, Japan, Singapore, China or Taiwan.
12

13 **RESPONSE TO REQUEST NO. 35:**

14 In addition to its General Objections, which are incorporated here by reference, MTPD
15 objects to Request No. 35 as overbroad, unduly burdensome and as seeking information that is
16 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence as the
17 documents sought are constrained by no subject matter limitation. MTPD also objects to this
18 request to the extent that the laws or procedures of a foreign country prohibit the production of
19 documents responsive to such requests. MTPD further objects to this request as unduly
20 burdensome and as seeking documents that are not reasonably calculated to lead to the discovery
21 of admissible evidence to the extent it seeks certain documents submitted to or seized by
22 particular foreign governmental agencies relating to the foreign (i.e. non-United States)
23 production, sale, marketing, pricing or distribution of CRTs.
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REQUEST NO. 36

Copies of all subpoenas or requests for production of Documents issued by any foreign governmental or legislative investigative body referring or relating to CRT or CRT Products during the relevant period.

RESPONSE TO REQUEST NO. 36:

In addition to its General Objections, which are incorporated here by reference, MTPD objects to Request No. 36 as overbroad, unduly burdensome and as seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. MTPD also objects to this request to the extent that the laws or procedures of a foreign country prohibit the production of documents responsive to such requests.

REQUEST NO. 37

All Documents relating to, prepared for, submitted to, or received by You as a result of any investigation or research conducted either internally or by an outside entity with respect to price fixing, price manipulation or manipulation of production or capacity of CRT or CRT Products.

RESPONSE TO REQUEST NO. 37:

In addition to its General Objections, which are incorporated here by reference, MTPD objects to Request No. 37 as it seeks documents subject to attorney-client privilege, work product protection, joint defense or common interest privilege, or any other applicable doctrine, privilege, protection or immunity from production. MTPD further objects to the extent it seeks information or documents that reflect, refer to, or relate to the ongoing criminal grand jury investigation concerning CRTs in contravention of the Court's Order to Extend Limited Discovery Stay, dated January 30, 2010. MTPD also objects to this request to the extent that the laws or procedures of a foreign country prohibit the production of documents responsive to such requests.

REQUEST NO. 38

All Documents relating to the termination, retirement, discipline, discharge or suspension of any director, officer, or Employee who had any responsibility relating to the production, manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

RESPONSE TO REQUEST NO. 38:

In addition to its General Objections, which are incorporated here by reference, MTPD objects to Request No. 38 as overbroad and seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent it relates to CRT Products. MTPD further objects that requiring MTPD to produce all documents responsive to this request would impose an undue burden, which would far outweigh its likely benefit under Rule 26(b)(2)(C)(iii) of the Federal Rules of Civil Procedure. MTPD also objects to this request to the extent it seeks documents subject to attorney-client privilege, work product protection, joint defense or common interest privilege, or any other applicable doctrine, privilege, protection or immunity from production.

REQUEST NO. 39

All Documents referring to or relating to plaintiffs in this litigation.

RESPONSE TO REQUEST NO. 39:

In addition to its General Objections, which are incorporated here by reference, MTPD objects to Request No. 39 as overbroad and seeking information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. MTPD further objects to this request to the extent it seeks documents subject to attorney-client privilege, work product protection, joint defense or common interest privilege, or any other applicable doctrine, privilege, protection or immunity from production. Subject to the foregoing objections, MTPD will

1 produce non-privileged documents in its possession, custody or control relating to Plaintiffs in
 2 this action, if any.

3 **REQUEST NO. 40**

4 All Documents that You claim would have been available to the plaintiffs or any
 5 purchaser of CRT or CRT Products prior to November 2007, which should have caused the
 6 plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise,
 7 maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the
 8 United States.

10 **RESPONSE TO REQUEST NO. 40:**

11 In addition to its General Objections, which are incorporated here by reference, including
 12 the Products Objection, MTPD objects to Request No. 40 as inappropriately propounded as a
 13 document request because it seeks information more easily obtainable through other means and/or
 14 as to which Plaintiffs bear the burden of proof. MTPD further objects to this request to the extent
 15 it purports to seek information that should be in Plaintiffs' possession. Subject to the foregoing
 16 objections, MTPD will produce public documents in its possession, custody or control responsive
 17 to this request relating to prices and sales of CRTs to the United States, subject to the Relevant
 18 Time Period Objection, if any.

20 Dated: May 12, 2010

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